IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 425 OF 2026

BRNACH MANAGER CHOLAMANDLAM MS GENERAL INSURANCE CO LTD
VERSUS
SUPRIYA SUJITKUMAR KUMTHEKAR AND OTHERS

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Advocate for Appellant : Mr. Abhijit Choudhari
Advocate for Respondents No. 1 to 3 : Mr. Ravibhushan P. Adgaonkar
Advocate for Respondents No. 4 and 5 : Mr. Ram S. Shinde

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WITH
CIVIL APPLICATION NO. 11843 OF 2026
IN FA/425/2026

SUPRIYA SUJITKUMAR KUMTHEKAR AND OTHERS
VERSUS
THE BRANCH MANAGER

***

Advocate for Applicants : Mr. Ravibhushan P. Adgaonkar
Advocate for Respondent No. 1 : Mr. Abhijit Choudhari
Advocate for Respondents No. 4 and 5 : Mr. Ram S. Shinde

WITH
CIVIL APPLICATION NO. 1868 OF 2026
IN FA/425/2026

BRANCH MANAGER CHOLAMANDALAM MS GENERAL INSURANCEC CO LTD
VERSUS
SUPRIYA SUJITKUMAR KUMTHEKAR AND ORS.

***

Advocate for Applicant : Mr. Abhijit Choudhari
Advocate for Respondents No. 1 to 3 : Mr. Ravibhushan P. Adgaonkar
Advocate for Respondents No. 4 and 5 : Mr. Ram S. Shinde

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CORAM : SACHIN S. DESHMUKH, J.

Date : 12th October, 2026

PER COURT :-

Civil Application No. 11843 of 2026

1. The Appellant – Insurance Company has presented the appeal, while raising an objection to the compensation awarded by the tribunal, allowing the claim petition of the applicants.

2. The applicants have presented this application seeking withdrawal of the amount of compensation awarded by the tribunal, which is deposited by the Insurance Company.

3. Considering the facts and circumstances that the entitlement of the applicant is endorsed by the tribunal after considering the rival contentions of the litigating sides and to strike the balance in the competing interest, it will be appropriate to permit the applicant to withdraw the amount.

4. Thus, the application is **partly allowed**.

5. The applicant No. 1 is permitted to withdraw Rs. 10,00,000/- (Rs. Ten Lakhs Only) out of the deposited amount in

this court, alongwith interest accrued thereon.

6. The applicant shall furnish an undertaking that disbursement would remain subject to final outcome of this appeal.

7. The balance amount shall be kept in Fixed Deposit of any Nationalized Bank initially for the period of three (03) years, the same shall be renewed periodically until further orders of this Court.

Civil Application No. 1868 of 2026

1. Mr. Choudhari, the learned counsel for Appellant – Insurance Company submits that as per order dated 10.04.2026 of this court, the Appellant has deposited entire awarded amount. As such, submits that ad-interim stay granted may be made absolute.

2. As such, Order dated 10.04.2026 granting ad interim stay is made absolute in terms of **Prayer Clause (B)**. Accordingly, the Civil Application is allowed

(SACHIN S. DESHMUKH, J.)

Omkar Joshi