



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

944 CIVIL APPLICATION NO. 391 OF 2025
IN FA/304/2025

BHURIBAI SUBHASH PAWARA AND ORS
VERSUS
THE NATIONAL INSURANCE COMPANY, DIVISIONAL OFFICE, DHULE
AND ANR

...
Advocate for Applicants : Mrs. Sabahat Hifazatali Kazi.
Advocate for Respondent No.1 : Mr. Aniruddha S. Usmanpurkar.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 10th June, 2026.

P.C.:

1 This application is for withdrawal of the amount deposited by the appellant in this Court as per the impugned judgment and award.

2 Heard the learned counsel for the parties. Perused the application.

3 The learned counsel for the appellant strongly opposed the application and submitted that the death of deceased Subhash is seriously doubtful, as he was the pillion rider when the rider of the motorcycle did not sustain any injury. There is a delay of 21 days caused for lodging the report (FIR). No any eye-witness is examined by the claimants. He, therefore, submitted to reject the application.

4 On perusal of the application alongwith the impugned judgment, this Court found that one Akhtar Hussan is an eye-witness. He deposed that he was riding the motorcycle and deceased Subhash was the pillion rider. Considering all these aspects together, alongwith

the arguments advanced by both sides, the following order is passed:-

ORDER

- I. The applicants are permitted to withdraw 50% of the amount out of the amount deposited by the appellant in this Court, with accrued interest thereon, on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- II. With this, the civil application for withdrawal of amount stands disposed of.

Appeal :

- 5 List the appeal on 7th August, 2026.

[SANJAY A. DESHMUKH, J.]

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