



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**17 CIVIL APPLICATION NO. 2658 OF 2025  
IN FA/2967/2023**

**SMT MANISHA DATTATRAYA SONAWANE AND OTHERS  
VERSUS  
THE BRANCH MANAGER, THE NEW INDIA ASSURANCE CO LTD AND ORS**

.....  
Advocate for Applicant : Mr. Markad Dattatraya Rambhau  
Advocate for Respondents : Mr. Abhijit C. Choudhari  
.....

**CORAM : SANJAY A. DESHMUKH, J.  
DATE : 08.06.2026**

**PC.:-**

1. The applicants have prayed for permission to withdraw 30% of the amount of share of applicant nos.2 and 3 who are children of deceased-Dattatraya.
2. Heard the learned counsel for the parties. Perused the application.
3. It is pointed out that the applicant nos.2 and 3 are students and they require the amount for their educational expenses.
4. The learned counsel for the respondent strongly opposes the application and submits that the delay of 32 days was caused for lodging the

report and the same has not been properly explained and therefore it would be proper to reject the application.

5. On perusal of the application and earlier order dated 15.03.2024, this Court found that applicant nos.2 and 3 are students and they require amount for meeting expenses of their education. As far as delay is concerned that issue can be decided on merit.

6. Considering the need of the applicant nos.2 and 3 and the facts and circumstances of the case, it would be just and proper to allow the application by modifying the earlier order and permitting the applicant nos.2 and 3 to withdraw 30% of their share 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.

7. Civil Application is disposed of.

**[SANJAY A. DESHMUKH, J.]**