



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3803 OF 2024
IN
FIRST APPEAL NO. 2055 OF 2013

1. Sharda Rohidas Brahmane,
Age : 42 years, Occu. : Service,
2. Sapna Rohidas Brahmane,
Age : 26 years, Occu. : Education,
Both R/o. Shendi, Tq. Nagar,
Dist. Ahmednagar.
3. Rekha Rohidas Brahmane,
Age : 42 years, Occu. : Household,
4. Abhijit Rohidas Brahmane,
Age : 21 years, Occu. : Education.
5. Puja Rohidas Brahmane @ Puja Sujit Mali,
Age : 20 years, Occu. : Household,
R/o. Wadala Bahiroba,
Tq. Newasa, Dist. Ahmednagar.
6. Radha Rohidas Brahmane,
Age : 17 years, Occu. : Education,
Applicant no.6 is minor
Through Natural Guardian
Applicant No.3, Applicant Nos.3 to 4 and 6
R/o. Shankarwadi, Tq. Pathardi,
Dist. Ahmednagar.
7. Smt. Chabubai Ambadas Brahmane,
Age : 65 years, Occu. : Household work,
R/o. Shankarwadi, Tq. Pathardi,
Dist. Ahmednagar.

... Applicants
(Orig. Claimants)

Versus

1. United India Insurance Company Ltd.,
Through its Divisional Manager and
Authorized representatives and Signatory
Ahmednagar Divisional Office,

Kisan Kranti Building, Ahmednagar,
Dist. Ahmednagar.

... Orig. Appellant

2. Shaikh Ahmed Shaikh Sayyed,
Age : Major, Occu. : Transport Business,
R/o. Golandi, Tq. Vaijapur,
Dist. Aurangabad.

... Orig. Resp.No.7.
... **Respondents.**

.....

Mr. R. K. Temkar, Advocate for Applicants.

Mr. S. K. Shinde h/f. Mr. A. B. Gatne, Advocate for Respondent no.1.

.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 24 APRIL 2026

PRONOUNCED ON : 27 APRIL 2026

ORDER :

1. Heard. The applicant No. 5 herein was minor when the claim was decided and, therefore, the amount of her share has not been directed to be paid to her. Now she has attained majority. The principal amount in deposit is not more than Rs.75,000/-. Along with interest accrued thereon, it might have crossed a sum of Rs.1,00,000/-. The appellant Insurance Company claims to have a good case in appeal, since the Driver did not have a licence at the relevant time.

2. In the fitness of things, the applicant No.5 is permitted to withdraw a sum of Rs.80,000/- (Rupees eighty thousand) out of the amount in deposit with this Court on furnishing usual undertaking.

3. If the appeal could not be made ready for hearing within a period of next six months, the applicant may move afresh for further withdrawal.

(ABHAY S. WAGHWASE, J.)