



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 CIVIL APPLICATION NO. 11217 OF 2024
IN FA/4104/2023

Govindrao Tukaram Devkatte Deceased Through His Legal
Heirs Mashnaji Govindrao Devkatte and others

VERSUS

Royal Sundaram General Insurance Company Ltd And Anr

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Advocate for Applicant : Mr. Nikhil N. Narlawar h/f Mr. Pavan P.
Uttarwar

Advocate for Respondent No.1 : Mr. M. R. Deshmukh

Advocate for Respondents : Mr. G. J. Karne And K. C. Sonane

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WITH

CIVIL APPLICATION NO. 12055 OF 2023
IN FA/4104/2023

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 30th JANUARY, 2026

PER COURT :-

1. The civil application No. 11217 of 2024 is filed for withdrawal of the amount. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application and submitted that the policy of the offending auto rickshaw does not cover the passenger. Considering this breach, there is hope that the appellant will succeeds in the appeal. He therefore, prayed to reject the application.

2. Considering the peculiar facts of this case, the application

deserves to be allowed partly. The application is thus partly allowed. The applicants are permitted to withdraw 50% amount with accrued interest thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

3. In so far as civil application No. 12055 of 2023 is concerned, the same is filed seeking stay to the impugned judgment and award passed by the Tribunal. Perused the application. Learned advocate for the applicant submitted that entire amount under award is deposited in this Court. In view of the same, the application is allowed in terms of prayer clause "B" and disposed of.

4. List the first appeal on 27.03.2026.

(SANJAY A. DESHMUKH, J.)

rlj/