



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

957 FIRST APPEAL NO. 545 OF 2025

The Branch Manager Royal Sundaram General Insurance Company
Ltd

VERSUS

Anand Pandurang Ghodke And Others

...

Mr. Deshmukh Mohit Rameshrao, Advocate for Appellant

Mr. Chavan Prasanna Shankarrao, Advocate for respondent No.1

Mr. Dikle Prasad Shamrao, Advocate for respondent No.2

WITH

**FIRST APPEAL NO. 546 OF 2025 WITH
CIVIL APPLICATION NO. 2862 OF 2025 IN FA/546/2025 WITH
FIRST APPEAL NO. 547 OF 2025 WITH
CIVIL APPLICATION NO. 461 OF 2026 IN FA/546/2025 WITH
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CIVIL APPLICATION NO. 458 OF 2026 IN FA/547/2025 WITH
CIVIL APPLICATION NO. 2863 OF 2025 IN FA/547/2025 WITH
CIVIL APPLICATION NO. 460 OF 2026 IN FA/546/2025 WITH
CIVIL APPLICATION NO. 2860 OF 2025 IN FA/545/2025**

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 10.02.2026

PER COURT :-

CIVIL APPLICATION NO. 461 OF 2026

CIVIL APPLICATION NO. 459 OF 2026

CIVIL APPLICATION NO. 463 OF 2026

1. These applications are filed for re-issuance of notice to the respective unserved respondents on the fresh address provided by appellant as per prayer clauses B & C.

2. Perused the applications. Heard learned advocate for the applicant.

3. Considering the reasons stated in the applications, the applications deserve to be allowed in the interest of justice.

4. In view of above, re-issue notice to the respective unserved respondents on the fresh address mentioned in the applications, returnable on 24.03.2026. The applications are disposed of.

CIVIL APPLICATION NO. 458 OF 2026

CIVIL APPLICATION NO. 460 OF 2026

CIVIL APPLICATION NO. 462 OF 2026

1. These are the applications seeking permission to withdraw the amount deposited in this Court pursuant to the award.

2. Heard learned advocates for both sides.

3. Learned advocate for respondent No.1 strongly opposed the applications and submitted that there was no negligence on the part of the driver of the offending truck. He further submitted that the applicants have already withdrawn 50 % of the amount deposited before the Learned M.A.C.T. Tribunal. He, therefore, prayed to reject the applications.

4. Perused the applications. For the reasons stated therein and considering the arguments of both the sides, it would be proper to partly allow the applications. Hence, the following order:

::ORDER::

- a. The applications are partly allowed.
- b. 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.

CIVIL APPLICATION NO. 2862 OF 2025

CIVIL APPLICATION NO. 2863 OF 2025

CIVIL APPLICATION NO. 2860 OF 2025

1. These are the applications seeking stay to the execution and operation of the impugned judgment and awards.
2. The learned advocate for the applicant / appellant-Insurance Company submits that the 50% amount of the share of the applicant is deposited in this Court.
3. In view of the above, there shall be stay to the impugned judgment and awards till the pendency of the appeals. The applications are disposed of.

[SANJAY A. DESHMUKH, J.]

HRJadhav