



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

20 CIVIL APPLICATION NO. 10497 OF 2025
IN FA/349/2025

SMT SANGITA BALU AVHAD AND ORS
VERSUS
BRANCH MANAGER NEW INDIA INSURANCE AND ANR

...
Advocate for Applicant : Mr. Onkar M. Joshi, h/f Mr. Nilkanth D. Batule.
Advocate for Respondent No.1 : Mr. Maroti Mahadu Ambhore.
...

WITH
CIVIL APPLICATION NO. 1926 OF 2025
IN FA/349/2025

BRANCH MANAGER NEW INDIA INSURANCE CORRECTED AS
ASSURANCE COMPNAY
VERSUS
SMT SANGITA BALU AVHAD AND OTHERS

...
Advocate for Applicant : Mr. Maroti Mahadu Ambhore.
Adv. for Respondent Nos.1 to 3: Mr. Onkar M. Joshi, h/f Mr. N. D. Batule.
...

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

DATE : 05th January, 2026.

P.C.:

1 Heard the learned counsel for the parties. Perused the applications.

Application for stay:

2 This is an application seeking stay to the execution of the impugned judgment and award.

3 The learned counsel for the applicant / appellant submits that the entire amount as per the impugned judgment and award is deposited in this Court.

4 In view of the above, there shall be stay to the impugned judgment and award till the pendency of the appeal. The application stands disposed of.

Application for withdrawal of amount:

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

6 The learned counsel for the appellant strongly opposes the application and submits that there is a delay of five days in lodging the report/FIR. He further submits that an excessive amount of compensation has been awarded.

7 For the reasons stated in the application and considering the arguments of both the sides, the following order is passed :-

ORDER

- I. The applicants are permitted to withdraw 50% of the amount with accrued interest thereon deposited in this Court on furnishing usual undertaking. 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.

[SANJAY A. DESHMUKH, J.]

nga