



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3669 OF 2026
IN FAST/25107/2025

GAYATRI SACHIN RAJPUT AND OTHERS
VERSUS
THE CHOLAMANDALAM MS GENERAL COMPANY LTD
AND OTHERS

...
Shri Shrikant Subhash Patil, Advocate for the Applicants.
Shri Swapnil S. Rathi, advocate for respondent No.1.
...

CORAM : KISHORE C. SANT
&
SUSHIL M. GHODESWAR, JJ.

DATE : 27 March 2026

P. C. :-

1. This application is filed by the applicants/ claimants seeking withdrawal of the amount deposited by the appellant Insurance Company in the office of MACT, Dhule, pursuant to the impugned award in MACP No.270/2020.

2. It is stated that the Insurance Company has deposited the amount of Rs.1,83,65,575/-, which roughly comes to 50% of the total amount with accrued interest. However, the amount was wrongly stated as Rs.1,42,93,928/- in the order dated 12.09.2025. Total award was for Rs.2,10,13,928/-.

3. The learned advocate for the applicants submits that in fact, the Insurance Company has accepted liability and the dispute is only with respect to the amount of Rs.67 lacs. It is, therefore, necessary to allow the applicants to withdraw the deposited amount with accrued interest. He has also prayed for direction to the Insurance Company to deposit even remaining amount.

4. The learned advocate Shri Rathi appearing for the Insurance Company opposes the application. However, he submits that though the Insurance Company has accepted liability, still the quantum is disputed as income tax returns filed even after death of the deceased were considered by the Court. In that view of the matter, if entire amount is allowed to be withdrawn, it would cause further complications.

5. This Court finds that the disputed amount is only Rs.67 lacs and the amount which is now deposited is roughly 50% of the total amount. As such, this Court does not find any difficulty in allowing the applicants to withdraw the amount, which is already deposited.

6. The Civil Application is partly allowed. The

applicants/ claimants are entitled to receive the amount deposited by the Insurance Company in the office of MACT, Dhule, along with accrued interest, if any. The amount to the extent of share of applicant No.2, who is minor, be kept in Fixed Deposit in any nationalized bank and interest accrued thereon be credited quarterly in the account of applicant No.1, who is mother of applicant No.2. Applicant No.2 shall be entitled to file an application on attaining majority.

7. The prayer for depositing further amount would be considered while considering the application for stay.

8. It is also pointed out that in the earlier order dated 12.09.2025, the amount deposited was wrongly stated as Rs.1,42,93,928/-, which should be Rs.1,83,65,575/-. The order dated 12.09.2025 be read accordingly.

kps

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)