



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

**945 CIVIL APPLICATION NO. 8759 OF 2025
IN FA/3213/2025**

Afzal Sattar Pathan And Ors

VERSUS

**United India Insurance Company Ltd Through Branch Manager
And Ors**

...

Mr. Zambare Sudheer Ramdas, Advocate for Applicant

Mr. Mohit R. Deshmukh, Advocate for Respondent No.1

WITH

CIVIL APPLICATION NO. 1529 OF 2026 IN CA/8759/2025

CORAM : SANJAY A. DESHMUKH, J.

DATE : 01.04.2026

PER COURT :-

CIVIL APPLICATION NO. 8759 OF 2025

1. This is an application 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 application and submitted that the learned Tribunal had awarded an excessive amount of compensation. Therefore, he prayed to reject the application.

4. Perused the application. For the reasons stated therein and considering the arguments of both the sides, it would

be proper to partly allow the application. Hence, the following order:

::ORDER::

- a. The application is 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. 1529 OF 2026

1. Heard.
2. This is the application for condonation of 14 days delay caused in filing the Civil Application for bringing the legal representatives of deceased appellant No.1 / Afzal Sattar Pathan on record as well as for setting aside abatement.
3. Learned Advocate for the respondent strongly opposed the application.
4. Perused the application. Considering the reasons stated therein, it appears that the delay is not deliberately caused. Hence,

the application deserves to be allowed in the interest of justice.

Hence, the following order:

::ORDER::

- a. The application is allowed.
- b. The delay of 14 caused in filing the Civil Application for bringing the legal representatives of deceased appellant on record is condoned.
- c. The abatement is set aside.
- d. The applicant is directed to amend the appeal memo and applications therein by bringing the legal representatives of the deceased appellant on record on or before 15.04.2026. If the amendment is not carried out within the stipulated period, the appellant shall pay costs of Rs.2,000/- to be deposited with the office of the High Court Legal Services Sub-Committee, Aurangabad.

[SANJAY A. DESHMUKH, J.]

HRJadhav