



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

33 CIVIL APPLICATION NO. 2863 OF 2026
IN FA/2657/2025

SINDHUBAI ATMARAM JADHAV
VERSUS
SHRIRAM GENERAL INSURANCE COMPANY LTD THROUGH ITS
AUTHORISED OFFICER

...
Advocate for Applicant : Mr. Avinash Dattatrya Aghav.
Advocate for Respondent No.1 : Mr. S. S. Rathi.
...

WITH
CIVIL APPLICATION NO. 10673 OF 2025
IN FA/2657/2025

SHRIRAM GENERAL INSURANCE COMPANY LTD
VERSUS
SMT SINDHUBAI ATMARAM JADHAV AND OTHERS

...
Advocate for Applicant : Mr. Swapnil Satyanarayan Rathi.
Advocate for Respondent Nos.1 to 4 : Mr. Avinash D. Aghav.
...

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

DATE : 09th March, 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 / insurance company strongly opposed the application and submitted that there is doubtful delay caused for lodging the report / FIR and also the defence of contributory negligence is not considered by the Tribunal. He, therefore, submitted to reject the application.

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 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. The remaining amount

be kept in fixed deposit in any nationalized bank till disposal of the appeal.

- II. The Registry to note that, if any of the claimants is minor and the directions of the Tribunal are to deposit the amount in fixed deposit, then the Registry of this Court shall keep that amount in fixed deposit and shall not pay the same to the minor claimant.
- III. With this, the civil application for withdrawal of amount stands disposed of.

[SANJAY A. DESHMUKH, J.]

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