



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

947 CIVIL APPLICATION NO. 443 OF 2026
IN FA/2690/2025

ASHWINI SANDEEP NARWADE, AND OTHERS
VERSUS
THE MANGER CHOLAMANDLAM GENERAL INSURANCE COMPANY

...
Advocate for Applicants : Mr. Pramod C. Mayure.
Advocate for Respondent No.1 : Mr. S. S. Rathi.
...

WITH
CIVIL APPLICATION NO. 10861 OF 2025
IN FA/2690/2025

THE MANAGER, CHOLAMANDALAM GENERAL INSURANCE COMPANY
LTD
VERSUS
ASHWINI SANDEEP NARWADE AND OTHERS

...
Advocate for Applicant : Mr. Swapnil Satyanarayan Rathi.
Advocate for Respondent No.1 : Mr. Pramod C. Mayure.
...

CORAM : **SANJAY A. DESHMUKH, J.**
DATE : 16th 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 though the report was lodged on the second day of the incident, after one month the name of the driver of the offending vehicle was revealed, which is doubtful. He, therefore, submits to dismiss 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 application is partly allowed.
- II. The applicants are permitted to withdraw 25% of the

amount with accrued interest thereon deposited in this Court on furnishing usual undertaking. Further 25% of the amount with accrued interest thereon is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of learned Registrar (Judicial) of this Court.

- III. The Registry is directed to not to insist for the actual valuation of the property of the surety.
- IV. The remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.
- V. It is submitted that all the minor claimants have become major. Therefore, office to verify the same and if they have become major, then their amount alongwith accrued interest be paid to them.

[SANJAY A. DESHMUKH, J.]

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