



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11145 OF 2025
IN FA/678/2025

Kavita Suresh Sonawane and Ors.

VERSUS

The New India Insurance Company Limited

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Mr. A. D. Sonar h/f D. D. Pande, Advocate for Applicant

Ms. Anagha Rotte, Advocate for Respondent no.1

CORAM : SANJAY A. DESHMUKH, J.

DATED : 08th JANUARY, 2026

PER COURT :-

1. This is an application for withdrawal of the amount deposited by the Insurance Company in this Court as per the impugned judgment and award.

2. Perused the application. Heard learned Advocates for both the sides.

3. Learned Advocate for the respondent no.1 strongly opposed the application and submitted that the contributory negligence on the part of deceased person who died in the vehicular accident is not considered properly by the M.A.C.T, Jalgaon. Learned Advocate further submitted to reject the application.

4. Upon perusal of the impugned judgment and present application, it appears that the learned M.A.C.T., Jalgaon has held that the contributory negligence on the part of the deceased person

who died in the accident is not proved by the Insurance Company. Considering all these aspects, the application deserves to be partly allowed. Hence, the following order:

ORDER

- a. Civil Application is partly allowed.
- b. Applicants are permitted to withdraw 50% amount deposited by the Insurance Company in this Court alongwith interest accrued thereon upon furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.
- c. Civil Application stands disposed of.

(SANJAY A. DESHMUKH, J.)