



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11609 OF 2025
IN
FIRST APPEAL (ST.) NO. 18039 OF 2016

1. Mahadevi W/o Ankush Kanthe,
Age : 42 years, Occu. : Household,
2. Aniket S/o Ankush Kanthe,
Age : 23 years, Occu. : Education,
3. Abhishek S/o Ankush Kanthe,
Age : 21 years, Occu. : Education,
All R/o Malkondaji, Tq. Ausa,
Dist. Latur.

... Applicants
(Orig. Claimants)

Versus

1. United India Insurance Company Ltd.,
Through its Branch Manager,
Branch Office, Opp. Gorakshan, Tilaknagar,
Main Road, Latur, Dist. Latur,
2. Navnath S/o Pandhrinath Mundhe
Age : 38 years, Occu : Driver,
R/o. : Kendrewadi, Tq. Chakur,
Dist. Latur.
3. Rajkumar S/o Shankar Kedar,
Age : Major, Occu. : Jeep Owner,
R/o. Rajewadi, Tq. Chakur, Dist. Latur.

... Respondents

.....
Mr. Balbhim R. Kedar, Advocate for Applicants.
Mr. Suraj R. Bagal, Advocate for Respondent No.1.
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CORAM : ABHAY S. WAGHWASE, J.

DATED : 30 APRIL 2026

ORDER :

1. This is an Application filed by the original claimants for withdrawal of the amount deposited by the Respondent/Insurance Company in this Court.

2. Learned counsel submits that, on 26.05.2010 applicants-original claimants filed M.A.C.P. No.148/2010 before the Learned Motor Accident Claims Tribunal, Latur, claiming compensation from the respondents. After a full-fledged trial, the Learned Tribunal, allowed the claim and granted compensation to the applicants along with 6% interest per annum. Against the said judgment, the respondent Insurance Company has filed the present First Appeal and also deposited a total amount of Rs.46,60,033/- in the year 2016.

3. Learned counsel for applicants further submitted that, by an order dated 18.07.2017 passed by this Court, the applicants had already withdrawn 25% amount. That, applicant nos.2 and 3, who are sons of applicant no.1 are taking education and they are in need of funds and therefore, he seeks further withdrawal of the amount.

4. Learned counsel for the Insurance Company strongly opposed the request for further withdrawal as there is issue of a fraudulent policy.

5. On hearing both sides, and considering the need for funds for taking education, I see no impediment to allow the applicants/claimants to withdraw further 25% amount, on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

6. The Application stands disposed of accordingly.

7. List the other Civil Applications on 09.07.2026.

(ABHAY S. WAGHWASE, J.)