



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11963 OF 2025 IN FA/1603/2025

PREETI MAHESHKUMAR DHYANI AND OTHERS

VERSUS

THE BRANCH MANAGER, BAJAJ ALLIANZ GENERAL INSURANCE CO

...

Advocate for Applicants : Mr. Jaydeep S. Kadam

Advocate for Respondent No.1 : Mr. M. R. Deshmukh

...

CORAM : KISHORE C. SANT,
SUSHIL M. GHODESWAR, J.J.

DATE : 05.02.2026

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PER COURT :

1. Heard the parties for some time.
2. This application is filed for withdrawal of the amount deposited by the Insurance Company with the office of this Court.
- 3 The application is vehemently opposed by Mr. Deshmukh, learned Advocate for respondent No.1. He submits that the question is about the entitlement of the claim, when the insurer was a rider of the motor cycle of his own vehicle. He shows readiness to argue the matter for final disposal.
4. This Court finds that the appeal is filed in the year 2025 and it is not possible to keep the same on board for final hearing immediately.

5. The learned Advocate for the applicant also relied upon judgment of the Honourable Supreme Court, in the case of ***Ramkhiladi and another Vs. United India Insurance Company and another, (2020) 2 Supreme Court Cases 550.***

6. Considering the above and since the amount is deposited in the office, the application deserves to be allowed. Hence, the order:-

ORDER

- (A) The applicants-claimants are allowed to withdraw 20% of the amount on furnishing usual undertaking and 30% of the amount is allowed to withdraw, on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- (B) If the amount could not be withdrawn, it shall carry the interest on the amount and the same is allowed to be withdrawn along with accrued interest thereon.
- (C) Parties are at liberty to move the Appeal for final disposal at the stage of admission.
- (D) The application stands disposed of in above terms.

(SUSHIL M. GHODESWAR)
JUDGE

(KISHORE C. SANT)
JUDGE

shp/-