



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

975 CIVIL APPLICATION NO. 1110 OF 2026
IN FA/2749/2025

Sambaji Mahadev Khot And Others
VERSUS
Bajaj Allianz General Insurance Co Ltd Through The Branch
Manager

...
Advocate for Applicant : Mr. Ashutosh S. Kulkarni
Advocate for Respondents : Mr. Mohit R. Deshmukh

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 20th FEBRUARY, 2026

PER COURT :-

1. This is an application seeking withdrawal of the amount. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent-insurance company strongly opposed the application and submitted that the owner of the offending vehicle has misrepresented to the Insurance Company stating the nature of the vehicle as private vehicle even though it was a commercial vehicle. If that aspect is considered the applicants are not entitled for compensation. He therefore, submitted to reject the application.

2. On perusal of the impugned judgment and award of the Tribunal, it appears that the learned Tribunal has decided the matter

on merits. At this stage, it would be proper to allow this application partly to the extent of 50% withdrawal.

3. Considering the peculiar facts of this case, the application is partly allowed. The applicants are permitted to withdraw 50% amount with accrued interest thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court.

(SANJAY A. DESHMUKH, J.)

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