



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 CIVIL APPLICATION NO. 1149 OF 2026
WITH
CIVIL APPLICATION NO. 7110 OF 2025
IN FA/2703/2025

Dashrath Pandhari Mali Bansode
VERSUS
Magma Hdi Insurance Co Ltd

Advocate for Applicant : Mr. Y.P. Jadhav
Advocate for Respondents : Mr. Mohit R. Deshmukh

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 30th JANUARY, 2026

PER COURT :-

1. The civil application No. 1149 of 2026 is filed seeking withdrawal of the amount of compensation deposited as per the impugned judgment and award. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application and submitted that there is delay of 9 days in lodging the report and therefore, it is doubtful that whether the offending vehicle was involved in the said accident or not. He therefore, prayed for rejection of application.

2. On perusal of the application and the impugned judgment and award and considering over all facts, this Court is of the view that the application deserves to be partly allowed. The application is

partly allowed. The applicant is permitted to withdraw 50% amount with accrued interest thereon, on furnishing usual undertaking. The Registry to transmit the said amount to the M.A.C.T. Dharashiv (Osmanabad).

3. In so far as civil application No. 7110 of 2025 is concerned, the same is filed seeking stay to the impugned judgment and award passed by the Tribunal. Perused the application. Heard learned advocates for both sides. Learned advocate for the applicant submitted that entire amount under award is deposited in this Court. In view of the same, there shall be stay to the impugned judgment and award passed by the Tribunal.

4. In first appeal, call for record and proceedings. Stand over to 27.03.2026.

(SANJAY A. DESHMUKH, J.)

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