



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3088 OF 2026
IN WP/5486/2025

KASHINATH DADA DARADE DIED THROUGH LRS ATMARAM
KASHINATH DARADE

VERSUS

SBI GENERAL INSURANCE COMPANY LTD THROUGH ITS LEGAL
OFFICER

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Advocate for Applicant : Mr. Mukeshkumar R. Singh

Advocate for Respondent No. 2 : Mr. S. W. Munde

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WITH
WRIT PETITION NO. 5486 OF 2025

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CORAM : S. G. CHAPALGAONKAR, J.

Date : 16th March, 2026

PER COURT :-

1. The present application is filed seeking permission to withdraw the amount deposited by the petitioner with the Registry of this Court in accordance with the order dated 08.05.2025.

2. Heard learned counsel for the respective parties.

3. The dispute in this writ petition concerns the liability to pay the gross insurance amount. The insurance company contends that the claim could not be processed due to a default on the part of the bank, whereas the petitioner asserts that the insurance

company is liable for the loss.

4. The inter-se dispute between the petitioner and the insurance company can be decided at the time of the final hearing of the writ petition. However, in terms of the order passed by the Permanent Lok Adalat, the applicant is entitled to receive the amount as per that order.

5. Consequently, the application is **allowed** in terms of prayer clause **(B)**, subject to the condition that the applicant shall file a standard undertaking with the Registrar (Judicial) of this Court, stating that they shall re-deposit the amount along with interest should an adverse order be passed subsequently.

6. Accordingly, the civil application stand disposed of.

(S. G. CHAPALGAONKAR, J.)

Omkar Joshi