



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 CIVIL APPLICATION NO. 4117 OF 2026
IN FA/2334/2025
WITH
CIVIL APPLICATION NO. 9865 OF 2025

Sarlabai Subhash Patil And Others
VERSUS
Chola Mandalam M S General Insurance Co Ltd and Others

...
Advocate for Applicant : Mr. Dipesh D. Pande
Advocate for Respondents : Mr. A.S. Usmanpurkar
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CORAM : SANJAY A. DESHMUKH, J.
DATED : 6th MAY, 2026

PER COURT :-

1. The civil application No.4117 of 2026 is filed for withdrawal of the amount. Perused the application. Heard learned advocates for both the sides. Learned advocate for the respondent strongly opposed the application and submitted that the apportionment of liability to pay the compensation is not determined by the Tribunal. He therefore, submitted to reject the application.

2. Considering the peculiar facts of this case, the application deserves to be allowed partly. The application is thus 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.

3. In so far as the civil application No. 9865 of 2025 is concerned, the same is filed for grant of stay to the execution of the impugned judgment and award passed by the Tribunal. Since the entire amount under award has been deposited, as has been submitted by learned advocate for the applicant, till disposal of the first appeal, there shall be stay to the impugned judgment and award. The civil application for stay is disposed of.

(SANJAY A. DESHMUKH, J.)

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