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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 CIVIL APPLICATION NO. 4823 OF 2026
IN FA/241/2026

BURZIN JANGOO PRINTER
VERSUS
THE ORIENTAL INSURANCE COMPANY LTD THROUGH ITS
DIVISIONAL MANAGER

Mr.A.P.Bhandari, Advocate for the applicant.

Mr.Dhananjay Deshpande, Advocate for respondent No.1 (Through VC)

(CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.)

DATE : 23 APRIL, 2026

PER COURT :

1. Heard the learned Advocates for the respective parties.
2. This application is filed for seeking withdrawal of the amount deposited in this Court pursuant to the judgment and award passed in MACP No.133/2018 wherein the Court has awarded the amount of Rs.14,00,000/- towards compensation. The appeal by the Insurance Company is filed mainly on the ground of quantum. The main ground raised in the appeal is that the Court has considered the

income tax return filed after the death of the applicant and hold that though it does not appear to be addition in the earlier income, but is in fact noticeably raised.

3. Be that as it may, this Court find that the total amount awarded is only Rs.14,00,000/-. The disputed amount by the Insurance Company is around 50% of the said amount.

4. This Court finds that in such circumstances, the application can be allowed on following terms and hence the order :-

[a] The applicant is at liberty to withdraw 50% of the amount deposited alongwith accrued interest on giving usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court.

[b] Remaining 50% of the amount is allowed to be withdrawn by furnishing solvent security to the satisfaction of the learned Registrar (Judicial) of this Court.

5. With this, the application stands allowed.

CA No.1165/2026 for Stay.

6. This application is not on board, taken on board.
7. Since now the amount is deposited in this Court and as this Court has also permitted the respondents / original claimants to withdraw the amount, there shall be stay to the impugned judgment and award till final disposal of the appeal.
8. Civil application stands disposed of accordingly. Parties are put to notice that both the appeals will be heard at the stage of admission by this Court, if time permits. R &P is already received.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)