



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5055 OF 2026
IN
FIRST APPEAL NO.2186 OF 2012

Sandu S/o. Tukaram Jadhav,
Died Through its LRS.

1. Gayabai W/o Sandu Jadhav
 2. Anand S/o. Sandu Jadhav
 3. Anil S/o. Sandu Jadhav
- ... Applicants

Versus

1. The New India Assurance Co. Ltd.
Through its Divisional Manager
Division Office, Adalat Road, Aurangabad
 2. Balaji S/o. Nivrutti Khandebharad
 3. Santosh S/o. Kondiba Sapkal,
 4. United India Insurance Co. Ltd.
- ... Respondents

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Mr. S. K. Shirse h/f. Mr. P. F. Patni, Advocate for Applicants.
Mr. Dhananjay Deshpande, Advocate for Respondent No.1 (Thorough V.C.).
Mr. V. P. Golewar, Advocate for Respondent No.2.
Mr. Aadil Shaikh h/f. Mr. R. V. Gore, Advocate for Respondent No.3.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 28 APRIL 2026

ORDER :

1. This is an application filed by the legal heirs of original claimant for withdrawal of amount of compensation deposited by the Respondent No.1 - Insurance Company in this Court along with accrued interest thereon.

2. Learned counsel for applicants submits that, the claim petition was filed by the claimants arising out of an accident involving Tata Truck bearing No. MH-21-5492. The learned Motor Accident Claims Tribunal allowed the petition and awarded compensation of Rs. 9,06,800/- along with interest. Against the said judgment and award, the Insurance Company preferred appeals bearing First Appeal No. 2186/2012 and First Appeal No. 746/2011, however, the same came to be dismissed by this Court vide judgment and order dated 29.09.2025.

3. Learned counsel further submitted that, the original claimant Sandu S/o. Tukaram Jadhav expired on 15.08.2025. The present applicants, being the legal heirs, have produced the Death Certificate Exh.“B” and Heirship Certificate Exh.“C” to establish their entitlement. The applicants, as legal heirs of the deceased claimant, are entitled to receive the awarded compensation. The Insurance Company has already deposited the awarded amount before this Hon’ble Court.

4. The Learned counsel Shri Deshpande appears for Respondent No.1-Insurance Company, does not dispute the aforesaid aspect.

5. In view of the above and as the appeal filed by the

Insurance Company has been dismissed by this Court, the legal heirs of original claimant, i.e. present applicants are permitted to withdraw the amount deposited by the Insurance Company.

6. Civil Application is disposed of accordingly.

(ABHAY S. WAGHWASE, J.)