



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**42 CIVIL APPLICATION NO. 5200 OF 2026
IN FA/446/2026**

Sonali Amol Lomate And Others

VERSUS

The Branch Manager Sbi General Insurance Co Ltd And Others

...

Mr. Prasanna Shankarrao Chavan, Advocate for Applicants

Mr. Rohit H Dahat, Advocate for Respondent No.1

Mr. M. R. Deshmukh, Advocate for Respondent No.4

WITH

**CIVIL APPLICATION NO. 2011 OF 2026
IN FA/446/2026**

The Branch Manager, Sbi General Insurance Company Limited

VERSUS

Sonali Amol Lomate And Ors.

...

Mr. Dahat Rohit Haribhau, Advocate for Applicant

Mr. Chavan Prasanna Shankarrao, Advocate for respondent Nos.1
to 4

Mr. Deshmukh Mohit R., Advocate for Respondent No.7

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 04.05.2026

PER COURT :-

APPLICATION FOR STAY

1. This is an application seeking stay to the execution of the impugned judgment and award.
2. The learned advocate for the applicant / appellant submits that the entire amount as per the impugned judgment and

award is deposited in this Court.

3. In view of the above, the application is allowed in terms of prayer clause 'B' and disposed of.

APPLICATION FOR WITHDRAWAL OF AMOUNT

1. This is an application seeking permission to withdraw the amount deposited in this Court pursuant to the award.

2. Heard the learned advocates for both sides.

3. Learned Advocate for the applicants concedes that 50% of the amount deposited by Respondent No.4/ Insurance company has already been withdrawn before the learned M.A.C.T., Dharashiv. Considering this fact, learned advocate for the applicants submits that applicant/claimant Nos.1 and 4, who are majors, be permitted to withdraw their respective shares, and the shares of respondent Nos.2 and 3, who are minors, be kept in fixed deposit until they attain majority.

4. Learned advocate for the respondents/Insurance company strongly opposed the application.

5. Perused the application. For the reasons stated therein and considering the arguments of both the sides, it would be proper to partly allow the application. Hence, the following order:

::ORDER::

- a. The application is partly allowed.
- b. The applicant/claimant Nos.1 and 4 are permitted to withdraw the amount falling to their share, out of the amount deposited by the appellant in this Court, with accrued interest thereon, on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. The remaining amount, falling to the share of respondent Nos.2 and 3, who are minors, shall be kept in fixed deposit.

. First Appeal No. 313 OF 2026 be tagged with First appeal No.446 of 2026 and be listed on 25.06.2026.

[SANJAY A. DESHMUKH, J.]

HRJadhav