



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CIVIL APPLICATION (CAF) NO. 3706 OF 2025
IN
FIRST APPEAL ST. NO. 5911 OF 2021
(FIRST APPEAL NO. 1400 OF 2025)

RELIANCE GENERAL INSURANCE COMPANY LIMITED

Vrs.

ARJUN LAXMANRAO GHUGE (DECEASED) THROUGH ITS LEGAL HEIRS AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri H. N. Verma, Advocate for appellant.
Shri Yash Sodhi, Advocate for non-applicant Nos.1(A) to 1(C).

CORAM: Y. G. KHOBRADE, J.
DATE : 05/05/2026.

1. Heard learned counsel appearing for the non-applicant Nos.1(A) to 1(C) and learned counsel appearing for the appellant / Insurance Company.
2. By the present application, the non-applicant Nos.1(A) to 1(C) / claimants are seeking permission to withdraw the entire amount of compensation awarded under the judgment and order dated 11/11/2020 passed in MACP No.78/2011 by the learned Member, MACT, Kelapur, Dist. Yavatmal.
3. Learned counsel appearing for the appellant strongly opposed the application and submitted that the learned Trial Court wrongly considered the parameters as well as percentage of disability and granted exorbitant compensation. Therefore, if the entire amount of compensation is disbursed in favour of the present non-applicant Nos.1(A) to

1(C), in that event, it would not possible to recover the same, if the judgment and award is modified or reversed.

4. Needless to say that the present non-applicants have filed MACP No.78/2011 claiming compensation of Rs.65,50,000/- on account of sustaining injuries / disability on account of accident occurred on 13/01/2011 at about 6.15 p.m.

5. After the conclusion of the trial, the learned Member, MACT, Kelapur passed the impugned order and directed the present appellant - Insurance Company and the owner as well as the driver to pay jointly and severally compensation of Rs.46,44,307/- from the date of claim, till its realization.

6. The original claimant died. Therefore, his legal heirs i.e. non-applicant Nos.1(A) to 1(C) are brought on record.

7. The appellant - Insurance company has deposited entire amount of compensation with accrued interest before this Court.

8. Therefore, considering the nature of claim and to meet the financial crises, it would be just and proper to permit the present non-applicants to withdraw their 50% share of the compensation with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

9. Accordingly, civil application stands disposed of.

[JUDGE]