



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

CIVIL APPLICATION (CAF) NO. 832 OF 2026

IN

FIRST APPEAL NO. 96 OF 2026

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.

Vrs.

SANGEETA W/O NARENDRA PANDIT AND ANOTHER

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

Court's or Judge's Order

Ms. Ashwini Athaley, Advocate for appellant.
Shri Vikas Jaiswal, Advocate for non-applicant No.1.
Shri Shriram S. Chopde, Advocate for Non-applicant No.2.

CORAM: Y. G. KHOBRAGADE, J.

DATE : 18/04/2026.

1. Ms. Ashwini Athaley, learned counsel appearing for the appellant made a statement that the appellant has deposited award amount of Rs.53,02,413/- under UTR No.SCBLN52026030900585166 on 07/03/2026 before the learned Member, MACT, Additional Temporary Court, Nagpur (MACP No.926/2022 as per order of this Court dated 17/02/2026).

2. Learned counsel appearing for non-applicant No.1 placed on record the xerox copy of detail of payment deposited by the appellant – Insurance Company before the Tribunal.

3. The pursis filed by the appellant and the xerox copy of detail of payment is placed on record and marked as Exh.'X' and 'X-1'.

4. Since the appellant – Insurance Company deposited the entire decretal amount with interest before the Trial Court as per the Pursis Exh.'X' and detail payment receipt Exh.'X-1', therefore the effect, operation and execution of the impugned Judgment and Award dated 02/09/2025 passed in MACP No.926/2022 by learned Member, MACT, Additional Temporary Court, Nagpur is hereby stayed.

5. Accordingly, Civil Application (CAF) No.832/2026 stands disposed of.

CIVIL APPLICATION (CAF) NO. 1705 OF 2026

6. Heard learned counsel appearing for the non-applicant Nos.1 and 2 and the learned counsel appearing for the appellant.

7. By the present application, the non-applicant No.1 / original claimant is seeking permission to withdraw the award amount granted by the learned Member, MACT, Nagpur on 02/09/2025 in MACP No.926/2022.

8. Learned counsel appearing for the appellant strongly opposed the application on the ground that if the non-applicant No.1 is permitted to withdraw the entire amount of compensation, in that event, it will not be possible to recover, if the award passed by the Trial Court is modified or reversed. However, the accident is occurred on 10/07/2022 and sustained accidental injury to the claimant is not in dispute.

9. After conclusion of the trial on 02/09/2025, the learned Trial Court passed the impugned Judgment and Award and directed the original respondent Nos.1 and 2 i.e. present appellant – Insurance Company and owner of the vehicle to pay jointly and severally the compensation of Rs.42,05,075/- with interest @ 7.5% per annum from the date of petition, till its realization.

10. In pursuance of the said award, the appellant – Insurance Company has already deposited the amount of Rs.53,02,413/- before the Trial Court.

11. Therefore, considering the need of the Non-applicant No.1 / original claimant, it would be just and proper to permit the non-applicant No.1 to withdraw 50% of award amount on furnishing undertaking that in case the Judgment and Award is reversed, the non-applicant No.1 shall refund the said amount within a period of two months therefrom to the appellant- Insurance Company.

12. Accordingly, application stands disposed of.

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13. Heard.

14. **Admit.**

15. Call for Record and Proceedings.

16. The appellant is permitted to file private paper book.

[JUDGE]