



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 CIVIL APPLICATION NO. 2315 OF 2025
IN FA/1111/2007

GOKUL RAMBHAU TAKE AND ORS

VERSUS

THE UNITED INDIA INSURANCE CO LTD. THR. ITS DIVISIONAL
OFFICE AURANGABAD AND ORS

...

Mr. Naikwade Shivaji Kondiramji, Advocate for Applicant
Mr. S. V. Kulkarni, Advocate for Respondent No.1

CORAM : Y. G. KHOBRAGADE, J.

Dated : 28th February, 2025

PER COURT :-

1. Heard learned counsel for the applicants and learned counsel for the non applicant No.1 Insurance company at length.
2. By the present application, the applicants/claimants have prayed for permission to withdraw the amount deposited by the Non applicant No.1/Insurance company.
3. It appears that the Non Applicant No.1 /Insurance company had filed First Appeal No. 1111 of 2007 and had challenged the judgment and award dated 12.04.2007 passed by the learned Motor Accident Claims Tribunal in MACP No. 178 of 2003. On 23.02.2022 the First Appeal No. 1111 of 2007 came to

be dismissed by this Court on merit. Therefore, Original Respondent No.1/claimant and Respondent Nos. 2A to 2C/legal heirs of original respondent No.2/claimant are entitled to withdraw the compensation amount deposited by the appellant Insurance company.

4. In view of the above, the Registry of this Court is directed to release the compensation amount in favour of the applicants in their proportion alongwith accrued interest thereon.

5. Civil application is accordingly disposed off.

(Y. G. KHOBRAGADE, J.)

JPChavan