



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CIVIL APPLICATION NO. 4461 OF 2026
IN FA/792/2024
WITH CIVIL APPLICATION NO. 2775 OF 2024
IN FA/792/2024

LALITA LAXMAN LAKHADE

VERSUS

THE ORIENTAL INSURANCE CO LTD THROUGH ITS AUTHORIZED OFFICER

...

Mr. S. K. Chavan, Advocate for the Applicant

Mr. A. S. Usmanpurkar, Advocate for Respondent No.1.

CORAM : SANJAY A. DESHMUKH, J.

DATED : 17th APRIL, 2026

P C. :-

ORDER BELOW CIVIL APPLICATION NO. 4461 OF 2026

1. This is an application seeking withdrawal of the amount.
2. Perused the application. Heard learned advocates for both the sides.
3. Learned Advocate for respondent No.1 strongly opposed the application. He submitted that there is a delay of 28 days in lodging the report, which was filed after the death of Laxman. He further contended that the driver of the offending vehicle, in collusion with the claimant, admitted in his written statement that the accident had occurred; however, such an

admission cannot be relied upon. He argued that, despite these doubtful circumstances, the learned MACP Tribunal has allowed the claim. Therefore, he prays for rejection of the application

4. Learned Advocate for the applicant has pointed out the reasons and findings recorded by the learned Reference Court. Considering the contentions raised in the application and the reasons assigned by the learned Reference Court, it would be appropriate to allow the application to the extent of permitting withdrawal of 50% of the amount. Hence, the following order:

ORDER

- (i) The application is partly allowed.
- (ii) The Registry is directed to pay 50% of the amount to the claimant, subject to usual undertaking, along with accrued interest and proportionate costs.

ORDER BELOW CIVIL APPLICATION NO. 2775 OF 2024

5. This is an application for seeking granting stay to the execution, operation and implementation of judgment and award.

6. Perused the application. Heard learned advocate for both sides. Considering the peculiar facts of the case and the grounds stated in the

application, stay is granted subject to deposit entire amount of compensation under award alongwith interest accrued and cost, within 12 weeks from today. With this condition, application is allowed and disposed of accordingly.

7. It is clarified that if the amount, as directed above, is not deposited within the aforesaid period, the stay granted by this Court shall stand vacated without further reference to the Court.

8. In First Appeal, issue notice to the Respondents, returnable on 30th June, 2026. Mr. Chavan, learned Advocate waives service of notice for Respondent Nos.1 to 4.

(SANJAY A. DESHMUKH, J.)

ssp