



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

**920 CIVIL APPLICATION NO. 5504 OF 2026
IN FA/2689/2025**

Manohar Nagnath Dudhbhate

VERSUS

Mahesh Virbhadrappa Halge

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Mr. Nagesh Guruling Talekar, Advocate for Applicant

Mr. Prasanna S. Chavan, Advocate for Respondent No.1

Mr. M. K. Goyanka, Advocate for Respondent No.2

Mr. J. S Kadam, Advocate fore respondent No.3

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 08.05.2026

PER COURT :-

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 respondents strongly opposed the application and submitted that there is doubtful evidence of negligence on the part of the rider of the motorcycle. He pointed out that the sketch showing the spot panchanama has been denied by the claimant in his cross-examination. However, the Court has held the insurance company liable to pay the compensation. He, therefore, prayed to reject the application.

4. 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 applicants are permitted to withdraw 75% of 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.

[SANJAY A. DESHMUKH, J.]

HRJadhav