

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CIVIL APPLICATION NO.5938 OF 2015
IN
FIST APPEAL STAMP NO. 14073 OF 2014
WITH
CIVIL APPLICATION NO. 5520 OF 2014
IN
FIST APPEAL STAMP NO. 14073 OF 2014.

Shaikh Wajid Shaikh Jafar.

....Applicant

Versus

The Oriental Insurance Co. Ltd.
And Another.

....Respondents.

Mr. H. I. Pathan, Advocate for applicant.

Mr.S. S. Wagh h/f. A. S. Deshpande, Advocate for the respondent
No.1.

CORAM : T.V. NALAWADE, J.
DATED : 16th June, 2015.

PER COURT :

1. Notice. Other side waives notice. The application is for permission to withdraw the amount deposited by appellant. Submissions of the learned counsel for the appellant are heard. They are in respect of defence taken that no relationship as employer and employee between the claimant and owner of the vehicle. In view of

the police papers the application needs to be allowed. The applicant is allowed to withdraw the amount of Rs.5,00,000/-(Rs.Five lakh) with proportionate interest. The applicant to give undertaking to this Court that in case applicant succeeds in the appeal, the applicant will deposit the entire amount with interest of 9% per annum.

[T.V. NALAWADE, J.]

mnp/