

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

CIVIL APPLICATION NO. 9243 OF 2015
IN
FIRST APPEAL NO. 1206 OF 2014

Vijay Uttam Jadhav

... Applicant

VERSUS

Dinkar Ganpati Mulik and Anr.

... Respondents

.....
Mr N. L. Jadhav, Advocate for the applicant
Mr C. V. Thombre, Advocate for respondents No. 1 and 2
.....

CORAM : S. V. GANGAPURWALA, J.
DATE : 21ST AUGUST, 2015.

PER COURT:

. This is an application for withdrawal of the amount.

2. Heard Mr Jadhav, ld. Counsel for the applicant and Mr C. V. Thombre, ld. Counsel for non-applicant.

3. Mr Thombre, ld Counsel for the non-applicant opposes the application and states that the appeal is already admitted considering the merits of the matter. The factum of accident itself is disputed.

4. I have considered the submissions. The award is in favour

of the applicant. Only 50% of the amount has been deposited by the present non-applicant.

5. Considering the above, I pass the following order.

ORDER

- (i) The applicant is allowed to withdraw 50% of the amount deposited along with interest, if any, on furnishing an undertaking to the Court, that in the event the applicant is directed to deposit the amount, he will redeposit the amount within one month from the date of such order.
6. Civil Application accordingly disposed of.

[S. V. GANGAPURWALA, J.]