

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

**CIVIL APPLICATION NO. 8655 OF 2015
IN
FIRST APPEAL STAMP NO. 25652 OF 2014**

Dnyaneshwar @ Mauli Tukaram Pandit .. Applicant

Versus

Sundrabai Rajendra Jaybhaye
and another .. Respondents

Shri Prashant R. Nagare, Advocate for the Applicant.
Shri N. K. Kakade, Advocate h/f Shri M. R. Khutwad, Advocate
for the Respondent No. 1.
Shri Mohit Deshmukh, Advocate h/f Shri S. G. Chapalgaonkar,
Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA, J.
DATE : 28TH AUGUST, 2015.**

PER COURT :

. This is an application for withdrawal of amount. The owner of the vehicle has deposited an amount of Rs. 59,350/- as per directions of this Court. There would be no impediment for the claimant to withdraw the same as the basic grievance of the owner of the vehicle is to the extent of Insurance Company being exonerated.

2. In the light of the above, the civil application is allowed.

The applicant is entitled to withdraw the amount deposited by the non applicant No. 1/owner of the vehicle on submitting an undertaking to the Court that in the event the applicant is directed to redeposit the amount, the applicant would redeposit the amount within one month. The civil application is disposed of.

[S. V. GANGAPURWALA, J.]

bsb/Aug. 15