

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

CIVIL APPLICATION NO. 11790 OF 2015
IN
FIRST APPEAL ST NO. 19190 OF 2014

AFSAR KHAN SIKANDAR KHAN
VERSUS
SHRIRAM GENERAL INSURANCE CO. LTD. AND ANOTHER

.....
Mr H. A. Patankar, Advocate for the applicant
Mr S. G. Chapalgaonkar, Advocate for respondent No. 1
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : **11TH SEPTEMBER, 2015.**

PER COURT:

. The Insurance Company has deposited the 50% of the amount under the award. Mr Chapalgaonkar, learned Counsel, opposes the application on the ground that subsequently it is revealed that the driver was not holding any license. The license produced on record is a fake document.

2. Considering the award passed and only 50% of the amount deposited by the Insurance Company, I pass the following order.

ORDER

- (i) The applicant is allowed to withdraw 75% of the amount deposited on submitting an undertaking to this Court that in the event this Court directs the applicant to deposit the amount, he will redeposit the amount within a period of one month from the date of such order.

- (ii) The applicant is allowed to withdraw 25% of the amount deposited on submitting solvent security / surety of the like amount.

Civil Application disposed of accordingly.

[S. V. GANGAPURWALA, J.]

sgp