

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

**CIVIL APPLICATION NO. 12158 OF 2015
IN FA/968/2003**

**USMAN SHARIF SHAIKH AND ANOTHER
VERSUS
MUSA JAFAR SHAIKH AND OTHERS**

...
Advocate for Applicants : Mr.Kute h/f Dhorde Vikram R
Advocate for Respondents : V N Upadhye For R/3

...
CORAM : S.V.GANGAPURWALA,J.

DATED : 15TH OCTOBER, 2015

ORDER :-

This is an application for withdrawal of amount. The First Appeal is dismissed for non taking steps.

2] I have heard Mr.Kute, learned counsel for applicants and Mr.Updhye, learned counsel for respondent.

3] The appeal is basically filed on the ground that the driver of the vehicle was not holding valid and effective driving license. In that case at the most order can be passed of pay and recover. In any way, claimants would be entitled to receive the amount.

4] Considering above, I pass following order :

The claimants are allowed to withdraw remaining amount of Rs. 1 lakh. In view of that Civil Application is allowed in terms of prayer clause "A". Civil Application disposed of.

[S.V.GANGAPURWALA,J.]

umg/