

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

**CIVIL APPLICATION NO. 12947 OF 2015
IN
FIRST APPEAL STAMP NO. 20339 OF 2012**

Sindhu Raosaheb Jondhale .. Applicant

Versus

The New India Assurance Co. Ltd.
and another .. Respondents

Shri S. K. Shinde, Advocate for the Applicant.

Shri S. G. Chapalgaonkar, Advocate for the Respondent No. 1.

CORAM : S. V. GANGAPURWALA, J.

DATE : 09TH OCTOBER, 2015.

PER COURT :

. Mr. Chapalgaonkar, the learned counsel opposes the application on the ground that, it is a clear case of breach of policy, breach of permit and the driver not holding valid license.

2. Considering the award passed in favour of the applicant, I pass following order.

3. The applicant is allowed to withdraw 50% of the amount deposited on submitting undertaking to this Court that, in the event appeal is allowed and the applicant is directed to deposit

the amount, the applicant shall deposit the same within one month. The applicant is further allowed to withdraw remaining 50% of the amount deposited on submitting solvent security/surety of like amount. The civil application is disposed of.

4. The amount deposited in this Court be transmitted to the concerned Tribunal.

[S. V. GANGAPURWALA, J.]

bsb/Oct. 15