

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3790 OF 2014
IN
FIRST APPEAL NO.1571 OF 2003

Laxmi Vishwas Jagtap & Anr. ... Applicants

Vs.

Sunil Baban Gaikwad & Ors. ... Respondents

Mr. Bhorat Punekar i/b Mr. Rajiv Jadhav for the Applicant.

Mr. S.M. Vidyarthi for Respondent No.3.

CORAM : K.K. TATED, J.

DATE : 27TH FEBRUARY 2015

P. C.:

1. Heard learned counsel for the Applicant and learned counsel for Respondent No.3. Though the Appellants are served, no one appeared for them when the application was taken up for hearing.

2. This application is preferred by the Claimants for withdrawal of amount deposited by the Appellant, the owner of the offending vehicle, in the Registry of this Court. In the present proceedings, this Court (Justice R.S. Mohite) by order dated 22/1/2004 in Civil

Application No.3954 of 2003 allowed the Applicants to withdraw the amount on furnishing solvent security to the satisfaction of the Registrar. Considering the submissions made by learned counsel for the Applicants and the order dated 22/1/2004 passed in Civil Application No.3954 of 2003, I am satisfied that the Applicant has made out a case in the above civil application. Hence, the following order:

ORDER

- (A) The Applicant is permitted to withdraw the amount deposited by the Appellant in this Court on the same terms and conditions as per order dated 22/1/2004 passed in Civil Application No.3954 of 2003.
- (B) Civil application is disposed of accordingly.

[K.K. TATED, J.]