

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION F. NO.832/2011

IN

FIRST APPEAL NO.928/2010

The New India Assurance Company Ltd., Yavatmal

...Versus...

Manoj Wasudeorao Bulbule and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.H. Patil, Advocate for appellant
Shri Anand Deshpande, Advocate for respondent no.1

CORAM : Z.A. HAQ, J.

DATE : 25.02.2015

The civil application was prepared on 18.11.2010 and was filed on 4.3.2011 praying for withdrawal of the amount deposited by the appellant. Apart from the fact that there has been no bona fides on the part of the respondent no.1 in pursuing the application, *prima facie*, I am satisfied that the respondent no.1 cannot be permitted to withdraw the amount deposited by the appellant – Insurance company until the appeal is heard.

However, the respondent no.1 is at liberty to proceed with the execution against the owner and driver of the vehicle which was involved in the accident and against whom also the award is passed by the Motor Accident Claims Tribunal.

The civil application is disposed of accordingly.

JUDGE

Wadkar