

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

CIVIL APPLICATION (CAF) NO.1870 OF 2015  
IN  
FIRST APPEAL NO.1167 OF 2013(D)

The Oriental Insurance Co. Ltd. Thr. Divisional Manager, Amravati.

-vs-

Rizwana Bano wd/o Abdul Sadique & Ors.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. W. Paunikar, Advocate for appellant/applicant.  
Smt. S. w. Deshpande, Advocate for respondent Nos.1 to 5.  
Shri R. J. Shinde, Advocate for respondent Nos.6 and 7.

**CORAM : A.S.CHANDURKAR, J.**  
**DATE : AUGUST 24, 2015**

Prayer is to permit the applicant to withdraw the amount of statutory deposit of Rs.25,000/- as well as amount of Rs.30,816/- that has been deposited pursuant to order dated 21/06/2013. It is submitted that the appeal was decided on 26/09/2013 granting liberty to the applicant to recover the amount in question from the owner under Section 174 of the Motor Vehicles Act. It is submitted that aforesaid first appeal arose out of adjudication under Section 140 of the said Act. Subsequently the claim petition has been dismissed against the present applicant by award dated 12/01/2015.

In view of liberty granted vide order dated 26/09/2013 in the present appeal and as the applicant has been exonerated in the claim petition, civil application is allowed in terms of its prayer and is disposed of.

**JUDGE**