

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.10352/2015gr

**943 CIVIL APPLICATION NO. 10352/2015 IN
FA/2339/2015
WITH
CA/10630/2015 IN FA/481/2015
WITH
CA/11869/2015 IN FA/2985/2015**

SUMERMAL CHANDANMAL JAIN AND OTHERS
VERSUS
THE RELIANCE GENERAL INSURANCE COMPANY

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Advocate for Applicant : Mr.Shrikant S.Patil
Mr. S.G.Chapalgaonkar, Adv. for respondent no.1.

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CORAM : P.R. BORA, J.
Dated: October 19, 2016

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PER COURT :-

1. Heard learned Counsel for the parties.
2. In all these appeals, the claimants are common. Considering the contentions raised in the applications for withdrawal of the amount, and having regard to the grounds of objections raised by the appellant Insurance Company in challenge to the impugned judgment and awards, I deem it appropriate to pass following order:

ORDER

1. The applicants are permitted to withdraw 50 per cent of the amount deposited in First Appeal

AGP/-

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(2) CA NO.10352/2015gr

No.2339/2015, 40 per cent of the deposited amount in First Appeal No.2985/2015 and a sum of Rs.1,50,000/- from the amount deposited in first appeal no.481/2015, on submitting an undertaking that in the event an adverse order is passed against the applicants in the appeals, the applicants will re-deposit the amount so withdrawn by them. Balance amount be kept in any nationalized Bank in Fixed Deposit Receipt, initially for a period of two years, and if so required, to renew the said Fixed Deposit Receipt for further period, till disposal of the appeal.

2. As requested by the learned Counsel for the applicants, the Registry is directed to transmit proportionate amount allowed to be withdrawn by the applicants to the Motor Accident Claims Tribunal, Dhule, so as to facilitate withdrawal of the amount to the respective claimants.

3. Civil Applications for withdrawal of amount stand disposed of.

(P.R. BORA, J.)

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