

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) FA NO.3207 of 2016

**5 FIRST APPEAL NO. 3207 OF 2016
WITH
CA/12103/2016 IN FA/3207/2016
WITH
CA/15646/2016 IN FA/3207/2016**

RELIANCE GENERAL INSURANCE CO. THR ITS MANAGER
VERSUS
KALPANABAI BABANRAO PATIL AND ORS

...
Advocate for Appellant : Mr.S.S. Patil
Mr.Bhokarikar Madhav M, Adv., for R/1 to 3.

...
CORAM : P.R. BORA, J.
Dated: December 09, 2016

...
PER COURT :-

1. Heard. Time extended by four weeks for service of unserved respondent. Call for R & P.
2. Heard learned Counsel for the applicant in Civil Application for withdrawal of amount and the learned Counsel appearing for the Insurance Company.
3. For the reasons stated in the application for withdrawal of amount and having regard to the grounds of objections raised in the memo of appeal in exception to the impugned judgment, I deem it appropriate to pass the following order:

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2) FA NO.3207 of 2016

ORDER

1. The applications in Civil Application No.15646/2016 are permitted to withdraw a sum of Rs.20,00,000/- (Rs. twenty lacs) from the deposited amount on submitting an undertaking that in the event any adverse order is passed in the appeal against the applicants, the applicants will re-deposit the amount so withdrawn within a period of four weeks from passing of such order. Balance amount be deposited in a Fixed Deposit Receipt in any nationalized Bank initially for a period of a year and to be renewed till disposal of the appeal. Civil Application for withdrawal of amount stands disposed of.

2. In view of the fact that the Insurance Company has deposited entire amount under the award, the interim stay granted by this Court vide order passed on 31st of August, 2016, is made absolute. Civil Application for grant of stay stands disposed of.

(P.R. BORA, J.)

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AGP/-