

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**23 CIVIL APPLICATION NO. 12475 OF 2016
IN FA/1491/2016**

BABASAHEB DADA ANAP AND ANR
VERSUS
ICICI LOMBARD GENERAL INSURANCE CO. LTD. THR ITS
MANAGER AND ORS

...
Advocate for Applicants : Mr.A.P.Deshmukh h/f
Mr.Hon Ashwin V.
Mr.S.S.Patil h/f Mr. R.R. Karpe, Advocates, for respondent.

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CORAM : P.R. BORA, J.
Dated: September 14, 2016

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PER COURT :-

1. Heard learned Counsel appearing for the applicant and the learned Counsel appearing for respondent Insurance Company.
2. Having regard to the averments in the application for withdrawal of the amount and the grounds of objection raised in the memo of appeal by the appellant Insurance Company in exception to the impugned judgment and award, I deem it proper to pass the following order:

ORDER

1. The applicants are permitted to withdraw a sum of Rs.5,00,000/- (Rs. five lacs) on submitting an undertaking that in the event appellant succeeds and if any adverse order is passed against the present applicants, they will re-deposit the amount so withdrawn within four months of passing of such order. Civil Application disposed of.

(P.R. BORA, J.)

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