

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

61 CIVIL APPLICATION NO.CA/13568/2011
IN FAST/29199/2011 WITH CA 13864/2016 IN
FAST/29199/2011 WITH CA/13569/2011 IN
FAST/29199/2011

NATIONAL INSURANCE CO. LTD.
VERSUS
NOORJAHABEGUM SHAIKH YOUNUS AND ORS

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Advocate for Applicant : Mr. VN Upadhye
Mr. Bhavthankar Vivek Vasantrao, Adv. For Resp.Nos.
1 to 4;

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CORAM : P.R. BORA, J.
Dated: October 17, 2016

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PER COURT :-

1) Heard. For the reasons stated in the application, delay of 37 days caused in filing the appeal is condoned. The appeal be registered in accordance with law. CA for condonation of delay stands disposed of.

2) In view of the fact that the appellant/insurance company has deposited 50% of the total amount, as directed by this Court, vide order dated 24.11.2011, the interim stay granted earlier stands confirmed. CA for stay disposed of.

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3) Heard the learned counsel for the parties on CA for withdrawal of the amount. The applicants are permitted to withdraw a sum of Rs.2,00,000/- deposited by the appellant/insurance company in this Court on submitting an undertaking that in the event any adverse order is passed against them in the appeal, they will re-deposit the said amount within four months of passing such order. CA for withdrawal of the amount is disposed of.

(P.R. BORA, J.)

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