

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO. 15780 OF 2016
IN FAST/10736/2016 WITH CA/5693/2016 IN FAST/10736/2016

PRAVIN VASANTRAO AADE
VERSUS
UNITED INDIA INSURANCE CO. LTD. AND ORS

...
Advocate for Applicant : Ram S. Shinde Borolkar
Advocate for Respondents : S. R. Bagal For R/1
...

CORAM : P.R. BORA, J.
DATE : 06-12-2016.

P.C. :

1. Heard Shri Ram S. Shinde Borolkar, the learned counsel for the applicants and Shri S.R. Bagal, the learned counsel for the respondent insurance company. Perused the impugned judgment. Considering the submissions in the application for withdrawal of the amount and having regard to the grounds of objections raised in the memo of appeal, I deem it appropriate to pass the following order:

ORDER

- i) The applicants are permitted to withdraw Rs.1,50,000/0 on submitting an undertaking that in the event any adverse order is passed they will re-deposit the amount so withdrawn by them within two months from passing of such order.
- ii) Balance amount be invested in any nationalized

bank in F.D.R. initially for a period of two years and if required, for a further period till the disposal of the appeal. Civil application stands disposed of.

2. Though, respondent nos. 2 and 3 are served, none has entered appearance on their behalf. Heard Shri Ram S. Shinde Borolkar, the learned counsel for the applicants and Shri S.R. Bagal, the learned counsel for the respondent no.1. For the reasons stated in the application, which according to me are just and sufficient, the delay of 28 days is condoned. Appeal be registered in accordance with law. Civil application stands disposed of.

3. On registration of the appeal, issue notice to the respondents, returnable on 24.01.2017. Shri S.R. Bagal, waives for respondent no.1. In the notice it be indicated that appeal can be finally disposed of at the admission stage.

(P.R. BORA)
JUDGE

mub