

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CAO No. 1562 of 2016 In MCA (St) No. 18115/16 In FA (St) No. 9920/16

Bajaj Allianz v. Smt Kantabai and ors

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri D. N. Kukday, Advocate for applicant
Shri S. R. Charpe, Advocate for respondents no. 1 to 4

Coram : S. B. Shukre, J

Dated : November 22, 2016

1. CA) No. 1562 of 2016 : Heard learned counsel for the applicant and learned counsel for respondents no. 1 to 4. For the reasons stated in the application, delay is condoned. Application disposed of.
2. MCA (St) No. 18115/16 : Heard. For the reasons stated in the application, application is allowed. Order of the learned Registrar dated 2.8.2016 is hereby recalled. First appeal be registered. Office objections, if any, be removed within two weeks.
3. FA (St) No. 9920/16 : Heard. Notice to respondents, returnable on 13.12.2016. Shri S. R. Charpe, learned counsel waives service for respondents no. 1 to 4.
4. CAF No. 3459 of 2016 : Having considered the grounds set out in the memo of appeal, I am of the view that this application can be partly allowed by permitting the respondents no. 1 to 4 to withdraw 50% of the Award amount on some conditions.
5. Accordingly, application is partly allowed. Respondents no. 1 to 4 are permitted to withdraw 50% of the decretal amount deposited in this Court subject to the condition that for half portion of this amount, solvent surety

to the satisfaction of the learned Registrar (Judicial) be furnished and for remaining half portion, the applicants shall furnish an undertaking that in the event any adverse order is passed against them or anyone of them, they shall refund the amount so withdrawn together with interest accrued thereon within four weeks from the date of such order. Application is disposed of accordingly.

JUDGE

joshi