

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO. 7880 OF 2017
IN
FA/2586/2016
WITH
CA/9666/2016 IN FA/2586/2016 WITH CA/6566/2017 IN
FA/2586/2016

ASHABAI RAJARAM GAIKWAD
VERSUS
RELIANCE GENERAL INSURANCE CO. THR ITS MANAGER,
AURANGABAD AND ANR

...

Advocate for Applicant : Mr. Mundhe Ashok A.
Mr. NC Garud, Adv. for Resp.No.1.

CORAM : P.R.BORA, J.

DATE : 21st June, 2017.

PER COURT :

. Heard learned Counsel for the applicant
and learned Counsel for the appellant insurance
company.

2) Having regard to the grounds of
objections raised in the memo of appeal in
exception to the impugned Award and considering
the averments in the application for withdrawal
of the amount, I deem it appropriate to pass the
following order, -

ORDER

i) Both the applicants are permitted to withdraw 50% of the deposited amount in accordance with the terms of Award falling to their share on submitting an undertaking that in the event any adverse order is passed against them, they will re-deposit the said amount within four weeks of passing such order;

ii) Balance 50% amount be invested in Fixed Deposit Receipt of any Nationalized Bank, initially for a period of two years and if so required for further period till disposal of the appeal;

iii) Civil Application for withdrawal of the amount stands disposed of in above terms.

3) In view of the fact that the insurance company has deposited the entire amount under the Award, the interim stay granted by this Court on 10th August, 2016 is made absolute. CA for stay stands disposed of.

4) Place the matter for final disposal at

the stage of admission on 10th July, 2017.

. Call R and P.

(P.R.BORA,J.)

bdv/