

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

999 CIVIL APPLICATION NO. 15411 OF 2016
IN FAST/34766/2016
WITH
CA/15418/2016 IN FAST/34766/2016

BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD.
VERSUS
NADARBAI PUNJARAM PATIL AND ORS

...
Advocate for Applicant : Mr Chapalgaonkar S.g.
Advocate for Respondents : Mr M M Bhokarika For R/1 To 4
r/5 Served

...
with
CA/2809/2017 IN FAST/34766/2016

NADARBAI PUNJARAM PATIL AND ORS
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD. AND ANOTHER

...
Mr M M Bhokarika advocate for applicant.
Mr S G Chapalgaonkar advocate for respondent.

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CORAM : V.K. JADHAV, J.
Dated: February 24, 2017

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PER COURT :-

1. Heard learned counsel for the applicant and learned counsel appearing for respondents 1 to 4.
2. For the reasons stated in the application, delay of 33 days caused in filing first appeal is hereby condoned. Civil application is allowed and accordingly disposed of.
3. In appeal, issue notice to the respondents, returnable on 13.4.2017. Learned counsel waives notice for respondents 1 to 4. Call record and proceeding.

4. Learned counsel for the applicant submits that, as directed by this court, the entire amount under award is deposited. In view of this, CA for stay disposed of.

5. Heard both sides in application for withdrawal of the amount.

6. Considering the challenge made to the judgment and award passed by the Tribunal, the applicants are permitted to withdraw amount of Rs.4.00 lacs on furnishing undertaking to the satisfaction of the registrar Judicial. Civil application for withdrawal of the amount accordingly disposed of.

(V.K. JADHAV, J.)

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aaa/-