

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

CIVIL APPLICATION NO. 16178 OF 2016
IN FA/894/2017

UJVALA VIKRAM DAHATONDE AND ORS
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD. AND ANR

...
Advocate for Applicants : Shri Phatke Rajendra P.
Advocate for Respondents : Shri S.G. Chapalgaonkar for R/1.

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CORAM: V.K. JADHAV, J.

DATE :- 21st April, 2017

Per Court:

1 Heard the learned counsel for the Applicants and the learned counsel for the Respondent/ Insurer.

2 The learned counsel for the Respondent/ Insurer submits that the Respondent/ Insurer has taken a specific plea about collusion between the Claimants and the Owner. He submits that though the accident allegedly took place on 17.03.2012, four months thereafter the driver of the Respondent/ Owner has given his statement to the Police admitting the involvement of the vehicle in the accident and except his statement, there is no other evidence placed before the Tribunal showing involvement of the said vehicle in the accident.

3 In view of the above submissions, the Civil Application

seeking withdrawal of amount is hereby rejected. The Applicants/ original Claimants are, however, at liberty to file an application seeking early hearing in the matter.

(V.K. JADHAV, J.)