

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

927 CIVIL APPLICATION NO. 16249 OF 2016  
IN FA/536/2010

RAJENDRASINGH BHISANSINGH DHINGRA  
VERSUS  
IFFCO-TOKIO GENERAL INSURANCE CO.

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Advocate for Applicant : Karpe Rahul R.  
Advocate for Respondents : V. N. Upadhye For R/sole

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**CORAM : V.K. JADHAV, J.**  
**DATE : 20-01-2017.**

**P.C. :**

1. The learned counsel for the applicant submits that, the applicant is not in a position to furnish bank guarantee of any nationalised bank as directed by this court in the order dated 07.04.2010. The learned counsel submits that, applicant is 69 years of age and at present he is on wheel chair. He requires to take medical aid time to time. The learned counsel submits that, a certificate issued by the Kamalnayan Bajaj hospital is also produced on record to that effect. The learned counsel submits that, applicant may be permitted to withdraw the amount on furnishing undertaking by modifying the order dated 07.04.2010.

2. The learned counsel for the respondent-insurer strongly resisted the application and submitted that the applicant may be permitted to withdraw the said amount on furnishing solvent surety.

3. Considering the rival submissions and the age of the applicant and his condition, I am inclined to accept the request and permit the applicant to withdraw the amount on furnishing undertaking to the satisfaction of the Registrar (Judicial). The order dated 07.04.2010 is modified accordingly. Civil application is accordingly disposed of.

**(V.K. JADHAV)**  
**JUDGE**

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