

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.361 OF 2007

R.P. Gupta & Sons

... Appellants

Vs.

Smt.Sanjivani Vijay Jagdale & Ors.

... Respondents

Mrs.H.D. Kapadia i/b K.G. Parmar for the Appellants
Mr.S.M. Dange for Respondent No.3

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: OCTOBER 11, 2017

P.C.:

1. Learned Counsel for the appellants seeks leave to withdraw the appeal as the parties have settled the matter amicably. She submits that she be allowed to withdraw the bank guarantee furnished in the lower Court. Mr.Dange, appearing for the Insurance Company submits that the insurance company is not concerned with the bank guarantee.

2. The appellant is allowed to withdraw the appeal. However, no order in respect of the bank guarantee can be passed because the order of bank guarantee is not before this Court. However, as the Tribunal has passed the order, the Registrar (Judicial) is directed to send the Record & Proceeding to the concerned Motor Accident Claims Tribunal, Mumbai and the appellant may seek appropriate orders before the Tribunal.

3. The R & P be sent to the concerned Tribunal within three weeks from today.
4. Appeal stands disposed of as withdrawn.

(MRIDULA BHATKAR, J.)