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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1709 OF 2017
IN
FIRST APPEAL NO. 1653 OF 2012

Bajaj Allianz General Insurance Co Ltd	...Appellant
<i>Versus</i>	
Vijay Ramchandra Dhawale	...Respondent

Mr Vineet Shetty, i/b MM Sathaye, for the Appellant in FA & Respondent in CA.

Mr Akash K Kotecha, i/b Balasaheb Deshmukh, for the Respondent in FA & Applicant in CA.

CORAM: G.S. PATEL, J
DATED: 19th June 2017

PC:-

1. Civil Application No. 1709 of 2017 is for fixing an early date of hearing and for withdrawal of an additional amount.

2. The Applicant is the original Claimant. The claim was allowed in the amount of Rs. 3,06,006/-. The insurer filed an Appeal which was admitted on 7th February 2013. By an order dated 13th September 2013, the Applicant was allowed to withdraw an amount of Rs. 1,50,000/- without security and an additional amount of Rs. 50,000/- with security. The remaining amount (just over Rs.

1 lakh) was ordered to be retained in a fixed deposit of a nationalized bank.

3. The prayer for an early date of hearing can be considered having regard to the circumstances of the case and the situation in which the Applicant finds himself.

4. It will not be possible to permit a further withdrawal without hearing the Insurance Company-Appellant.

5. List the matter for hearing and final disposal at the end of the supplementary board on 23rd June 2017, i.e., at the end of this very week.

6. The Civil Application is disposed of in these terms with no order as to costs.

(G. S. PATEL, J)