

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

**948 CIVIL APPLICATION NO.10954 OF 2018
IN
FIRST APPEAL NO.1424 OF 2018**

RESHMA PRAKASH @ POPAT JAGTAP
AND ORS ..Applicants

VERSUS

BAJAJ ALLIANZ GENERAL INSURANCE
CO. LTD., THR ITS AUTHORIZED
SIGNATORY, AURANGABAD & ANR ..Respondents

...

Shri P.D. Dadpe, Advocate for the applicants;
Shri S.S. Dargad, Advocate, h/f. Shri S.G. Chapalgaonkar,
Advocate for the Respondent No.1;
Shri H.P. Bondar, Advocate for Respondent No.2.

...

WITH

**FIRST APPEAL NO.1424 OF 2018
WITH CA/5226/2018 IN FA/1424/2018**

CORAM : P.R. BORA, J.
Dated: August 30, 2018

PER COURT :

1. Heard the learned Counsel appearing for the parties.
Perused the impugned Judgment and the grounds of objections
raised in exception to the impugned Judgment. In view of the
above, the following order is passed.

ORDER

(i) The Civil Application is partly allowed;

(ii) The applicants are permitted to withdraw 50% of the deposited amount on submitting an undertaking to the satisfaction of the Registrar (Judicial) of this Court. The balance 50% of the amount be invested in any nationalized bank initially for the period of one year and if so required, till disposal of the appeal.

(iii) 50% amount as has been permitted to be withdrawn, be transmitted to the Motor Accident Claims Tribunal at Osmanabad to facilitate its withdrawal by the applicants.

(iv) The undertaking be submitted before the Motor Accident Claims Tribunal at Osmanabad and the learned Tribunal in turn shall forward the said undertaking to this Court.

(v) Civil Application for withdrawal of amount stands disposed of.

(vi) List the matter for final disposal on 25.09.2018.

(vii) Notice of final disposal is waived by the respective learned Counsel appearing for the parties.

(viii) The Civil Application (No.5226 of 2018) for stay stands disposed of.

(P.R. BORA, J.)