

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 CIVIL APPLICATION NO. 9536 OF 2018
IN FAST/12039/2018

TUKARAM KADUBA RODGE
VERSUS
DIV. MANAGER, UNITED INDIA INSURANCE CO. LTD.,
AURANGABAD AND ORS

...

Advocate for Applicant : Mr. Gaikwad Satish A.
Mr. SS Dargad, Adv. h/for Mr. S. G. Chapalgaonkar
for R/1;
Mr.M. M. Ambhore, Adv. for R/4.

CORAM : P.R.BORA, J.

DATE : 4th October, 2018.

PER COURT :

1. Heard learned counsel for applicant and learned counsel appearing for respondent – insurance company.

2. Though learned counsel appearing for United India Insurance company has strongly opposed for permitting withdrawal of the amount, I see no reason for not allowing withdrawal of the amount of compensation as deposited by the said insurance company in this Court.

3. From the grounds of objections, it appears

BDV

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

that the real dispute is as about apportionment of the liability inter-se the insurance Companies. In the circumstances, there seems no reason for not allowing the applicant to withdraw the amount as deposited by the insurance company. Hence, the following order.

ORDER

- i. The applicants are permitted to withdraw the deposited amount on submitting an undertaking to the satisfaction of Registrar of this Court.
- ii. The Civil Applications for withdrawal of the amount stand disposed of.

(P . R . BORA)
JUDGE

bdv/

BDV