

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

**29 CIVIL APPLICATION NO. 11128 OF 2018
IN FA/2104/2018 WITH CA/9497/2018 IN FA/2104/2018**

JANKIRAM BABURAO THOMBRE

VERSUS

THE NEW INDIA ASSURANCE COMPANY LTD. THR ITS DIV.
BRANCH MANAGER AND ORS

...

Advocate for Applicant : Mr. Jadhav B. Kakasaheb
Advocate for Respondent No.1 : Mr. S.G
Chapalgaonkar

...

**CORAM : P.R. BORA, J.
DATED : 03rd SEPTEMBER, 2018.**

PER COURT:-

. Heard Shri K.B. Jadhav, learned counsel appearing for the applicant and Shri S.G. Chapalgaonkar, learned counsel appearing for respondent no.1-Insurance Company.

2. Perused the impugned judgement and the grounds of objection raised in exception to the said judgement. In view of the above, the following order is passed:

ORDER

(i) The applicant is permitted to withdraw 75% of the deposited amount, on submitting an undertaking to the satisfaction of the

(2)

Registrar of this Court.

(ii) Balance 25% of the amount be invested in Fixed Deposit Receipt in any nationalized Bank, initially for a period of one year and if so required, for the further period till disposal of the appeal.

(iii) The Civil Application for withdrawal of amount stands disposed of.

(iv) List the appeal along with First Appeal No. 2349 of 2018 for further consideration on 04.10.2018.

(P.R. BORA, J.)

Mujaheed//