

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

**77 FIRST APPEAL NO. 2103 OF 2018
WITH CA/9496/2018 IN FA/2103/2018 WITH
CA/11608/2018 IN FA/2103/2018**

NEW INDIA ASSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY, AURANGABAD ..Appellant
VERSUS
KAVITA SHIVAJI TAMBE AND ORS ..Respondents

...
Advocate for Appellant : Shri S.G. Chapalgaonkar;
Advocate for Respondents No.1 to 3 : Shri S.W. Jawale;
Advocate for Respondent No.4 : Shri S.S. Randive.

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CORAM : P.R. BORA, J.
Dated: September 18, 2018

PER COURT :

1. Heard the learned Counsel appearing for the respective parties.
2. On perusal of the grounds raised in exception to the impugned Judgment and having considered the averments made in the application for withdrawal of the amount, I deem it appropriate to pass the following order.

ORDER

- (i) Applicant no.1 (in Civil Application No.11608 of 2018) is permitted to withdraw a sum of Rs.Six Lakhs from the deposited amount.

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

(iii) Civil Application No.11608 of 2018 stands disposed of.

3. Having regard to the grounds of objections raised in exception to the impugned Judgment, the present appeal can be finally disposed of at the admission stage.

4. List the matter for final disposal at admission stage on 15.10.2018.

(PR. BORA, J.)

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