

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

**43 CIVIL APPLICATION NO. 10952 OF 2018  
IN FA/4072/2016 WITH CA/14892/2016 IN FA/4072/2016**

VIKAS BAPURAO PATIL  
VERSUS  
NATIONAL INSURANCE CO. LTD.

...

Advocate for Applicant : Mr. Sant Kishor C.

Advocate for Respondent : Mr. S.R. Bodade

...

**CORAM : P.R. BORA, J.  
DATED : 03<sup>rd</sup> SEPTEMBER, 2018.**

**PER COURT:-**

. Heard Shri Sant, learned counsel appearing for the applicant and Shri Bodade, learned counsel appearing for respondent-Insurance Company.

2. The learned counsel pointed out the order passed by this Court (Coram: V.L. Achliya, J.) on 20.07.2018. The learned counsel submitted that the applicant-Vikas Bapurao Patil is unable to travel and in the circumstances, it may not be possible for him to come to Aurangabad for submitting an undertaking. In the circumstances, request is made to waive the aforesaid condition and permit the advocate appearing for the applicant in this Court to submit an undertaking on his behalf.

(2)

3. Another request is made for transmitting the amount of Rs. 1,00,000/-, which is permitted to be withdrawn directly in the account of said Vikas Bapurao Patil, the particulars of which are furnished by the applicant. I see no difficulty in allowing both the prayers. Hence, the following order is passed:

**ORDER**

The order passed on 20.07.2018 is modified as under:

- (i) The learned counsel for the applicant is permitted to file undertaking on behalf of the applicant in this Court.
- (ii) Registry of this Court is directed to transfer the amount of Rs. 1,00,000/- in the account of the applicant-Vikas Bapurao Patil, the particulars of which are provided in the application.
- (iii) The charges, if any, for transfer of such amount shall be borne by the applicant.
- (iv) The Civil Application stands disposed of.
- (v) It is clarified that the undertaking, which

(3)

may be given by the counsel appearing for the applicant on behalf of the applicant shall also operate for further withdrawal of the amount of interest.

**(P.R. BORA, J.)**

Mujaheed//