IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO.12408 OF 2011 IN FA/1165/2012

THE NEW INDIA ASSURANCE CO LLTD THR DIVNL LMANAGER AURANGABAD
VERSUS
SUNITA GORAKH WAKALE AND ORS
...
Advocate for Appellant : Mr. M.M. Ambhore
Advocate for Respondents no.1 to 7 : Mr. D.A. Naik.

....

CORAM : V.L. ACHLIYA, J.

DATED : 02nd AUGUST, 2018

PER COURT:-

1. Learned counsel for the applicant – appellant submits that in terms of order dated 18.10.2011, though the appellant has deposited the amount to the extent of 50%, but the same was deposited after the expiry of time prescribed to deposit the amount and therefore *ad-interim* order passed in the matter vacated. He submits that the Tribunal has issued recovery warrant for recovery of 50% balance amount.

2. Learned counsel submits that the appellant – Insurance Company is ready to deposit the balance amount of 50% together with interest till the date of deposit within three weeks from today and urged to grant interim stay to execution of warrant.

2. In view of the submissions made, *ad-interim* relief granted in terms of prayer clause 'B' subject to deposit of balance amount of 50% together with interest within three weeks from the date of this order. Failure to deposit the amount within three weeks, the *ad-interim* relief granted stands vacated without further reference to the Court.

3. The application is disposed of in above terms.

(V.L. ACHLIYA)
JUDGE

SPR