

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

**29 CIVIL APPLICATION NO. 12133 OF 2018
IN FAST/11588/2018 WITH CA/8270/2018 IN
FAST/11588/2018**

**EKNATH BHAGAJI GAWALI AND ORS
VERSUS
BABULAL MANGANBHAI PATEL AND ORS**

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Advocate for Applicants : Mr. Deshmukh Mohit R.

Advocate for Respondent No.3 : Mr. V. P. Raje

...

CORAM : P.R. BORA, J.

DATED : 08th OCTOBER, 2018.

PER COURT:-

. Heard Shri Deshmukh, the learned counsel appearing for the applicant and Shri Raje, the learned counsel appearing for the insurance company.

2. In view of the submissions made, the following order is passed:

ORDER

- i) The applicants are permitted to withdraw 50% of the deposited amount along with interest accrued thereon on submitting an undertaking to the satisfaction of the Registrar of this Court.
- ii) Balance 50% be invested in Fixed Deposit

(2)

Receipt with the interest accrued thereon 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) Civil Application stands disposed of.
- iv) The learned counsel for the appellants to take necessary steps to serve unserved respondent nos. 4 and 5. List the matter on 29.10.2018.
- v) While disbursing the amount as is permitted by this Court, the same be disbursed so far as claimant no.2 is concerned in the name as Smt. Saraswatibai widow of Eknath Gawali.

(P.R. BORA, J.)

Mujaheed//