

(1)

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

**935 CIVIL APPLICATION NO. 13395 OF 2018
IN FA/1541/2015**

UNITED INDIA INSURANCE COMPANY LTD. AND ANOTHER
VERSUS
DHONDUBAI HIRAMAN CHAVAN AND OTHERS

...

Advocate for Applicants : Mr. S.S. Dargad h/f Mr.
Chapalgaonkar S.G.

...

CORAM : P.R. BORA, J.

DATED : 30th OCTOBER, 2018.

PER COURT:-

. Heard Shri Dargad, the learned counsel for the applicants.

2. It is brought to my notice that First Appeal No.1491 of 2015 and First Appeal No.1541 of 2015 are disposed of by common judgment and order passed by this Court on 21.09.2018. The copy of the judgment is placed on record. The insurance company is exonerated from the liability to indemnify the insured in both the appeals.

3. The learned counsel submits that inadvertently the order permitting refund of the amount deposited by the insurance company is not passed in the aforesaid appeals. By filing the present application, the applicant-insurance

(2)

company is seeking further order for refund of the said amount. In view of the submissions made, the following order is passed:

ORDER

- i) The amount of compensation deposited by the insurance in First Appeal No.1541 of 2015 be refunded to the applicant-insurance company along with interest accrued thereon.
- ii) The Civil Application stands disposed of.

(P.R. BORA, J.)

Mujaheed//