

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAO) NO.2059/2018
IN
MISC. CIVIL APPLICATION ST. NO.18005/2018
IN
FIRST APPEAL NO.1196/2009

M/s. Choramandalam MS General Insurance Company Limited, Ahmedabad,
through its General Manager, Nagpur

...Versus...

Karamsibhai s/o Ratansi Patel and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.J. Pophaly, Counsel for applicant
Shri A.N. Ansari, Counsel for respondent nos.1 to 4

CORAM : ARUN D. UPADHYE, J.
DATE : 07/12/2018

Heard.

There is a delay of 397 days caused in filing the
misc. civil application for restoration.

For the reasons stated in the application, the
delay caused is condoned. The civil application is allowed.

MISC. CIVIL APPLICATION ST. NO.18005/2018

Heard.

For the reasons stated in the application, the misc.
civil application is allowed. The matter is restored to its
original file.

The civil application stands disposed of.

CIVIL APPLICATION (CAF) NO.2315/2018

Heard.

Perused the application. The other side has no objection for withdrawal of the amount. It is stated that amount of Rs.50,000/- has already been withdrawn out of Rs.1,00,000/- deposited.

Considering the submissions of the learned Counsel for the parties, it would be just and proper to allow the respondent nos.1 to 4/applicants to withdraw the remaining 50% amount. Hence, I pass the following order.

ORDER

The civil application is allowed. The respondent nos.1 to 4/applicants are permitted to withdraw the remaining amount of Rs.50,000/- with accrued interest thereon upon furnishing usual undertaking.

The civil application stands disposed of.

JUDGE