

(1)

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

**51 CIVIL APPLICATION NO.2836 OF 2019
IN FA/3223/2018**

MARUTI RABHAJI DAHANE AND ANR
VERSUS
NEW INDIA ASSURANCE CO. LTD., THR ITS
AUTHORIZED SIGNATORY, AURANGABAD AND ANR

...

Advocate for Applicants : Mr. Karpe Rahul R.
Advocate for Respondent No.1 : Mr. A.B.
Kadethankar

...

**CORAM : P.R. BORA, J.
DATED : 18th FEBRUARY, 2019.**

PER COURT:-

. Heard Shri Karpe, the learned counsel appearing for the applicants and Shri Kadethankar, the learned counsel appearing for the insurance company.

2. Perused the impugned judgment and award and the grounds of objections raised in exception to the said judgment. In view of the above, the following order is passed:

ORDER

- i) The application is allowed.
- ii) The applicants are permitted to withdraw 75% of the amount deposited by the appellant-insurance company in this court along with interest accrued thereon on

(2)

submitting an undertaking to the satisfaction of the Registrar of this Court.

- iii) Balance 25% of the amount with interest accrued thereon be invested in Fixed Deposit Receipt in any nationalized bank, for the further period till disposal of the appeal.
- iv) Civil application stands disposed of.
- v) Call record and proceedings.

(P.R. BORA, J.)

Mujaheed//