

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

**1019 CIVIL APPLICATION NO.3387 OF 2019
IN FAST/29668/2018**

**AYODHYABAI HARIBHAU SAPTE AND ORS
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., THR ITS
AUTHORISED SIGNATORY AURANGABAD**

...
Advocate for Applicant : Mr. Shekade Shashikant E
Advocate for Respondent No.1 : Mr. S.G. Chapalgaonkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 2nd AUGUST, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount of Rs.22,46,221/- deposited by present respondent No.1-original appellant. Learned Advocate appearing for respondent No.1 has strong objection for withdrawal of the amount on the ground that the appeal has been filed challenging the involvement of the insured vehicle at a belated stage and that too in collusion.

2. At this stage a competent Court has given its findings which is against present respondent Nos.1 to 3. They have been directed to pay the amount of compensation jointly and severally. Under such circumstance, case is made out for partial withdrawal.

Applicant No.1 is allowed to withdraw amount of Rs.5,00,000/- and applicant Nos.2, 3 and 4 are allowed to withdraw amount of Rs.1,00,000/- each subject to giving an undertaking within a period of eight weeks that they would make the said amount good, if directed at the time of final disposal of the appeal.

3. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/