

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**1030 CIVIL APPLICATION NO.9880 OF 2019
IN FAST/25209/2018**

SURESH ASHOK PATIL
VERSUS
M/S. SHRIRAM GENERAL INSURANCE CO. LTD., THRU ITS BRANCH
MANAGER, AURANGABAD AND ANR

...
Advocate for Applicant : Mr. Mahajan Lalitkumar S
Advocate for Respondent No.1 : Mr. S.S. Dargad h/f Mr.S. G.
Chapalgaonkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 23rd AUGUST, 2019

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.14,73,212/- has been deposited by respondent No.1.

2. Learned Advocate for respondent No.1 submits that the appeal has been filed on two grounds i.e. the driver of the offending vehicle was not holding valid and effective driving license on the date of the accident so also, there was contributory negligence on the part of injured.

2. Taking into consideration the fact that a competent Court has come to a certain conclusion and saddled the compensation jointly

and severally on the shoulders of respondent No.1, case is made out for partial withdrawal of the amount. Applicant is entitled to withdraw amount of Rs.8,00,000/- subject to filing an undertaking within a period of eight weeks that he would make the said amount good, if directed at the time of final disposal of the appeal.

(Smt. Vibha Kankanwadi, J.)

Shubham/