

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

**1000 CIVIL APPLICATION NO.6461 OF 2019
IN FA/1989/2018**

**BABASAHEB ANNASAHEB MOHITE
VERSUS
NEW INDIA INSURANCE CO. LT., THR ITS BRANCH MANAGER AND ORS**

...
Advocate for Applicant : Mr. Bedre Vinayak Sudhakar
Advocate for Respondent No.1 : Mr. Darandale h/f Mr. S.G. Chapalgaokar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 06th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.6,56,727/- has been deposited by the Insurance Company. The Insurance Company has filed challenging the involvement of vehicle, so also on other grounds such as no proper submission of disability certificate and thereby raising objection for the quantum.

2. Therefore, taking into consideration the objections and the purpose for which the appeal has been filed, case is made out for partial withdrawal of the amount. Therefore, applicant is entitled to withdraw amount of Rs.3,50,000/- 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.

2. Civil Application stands allowed and disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM