

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

Civil Application No. 06404 of 2019
(In First Appeal Stamp No. 01700 of 2019)

District : Nandurbar

Mangalbai Laxmikant Sonawane
& 02 others.

.. Applicants

versus

Bajaj Allianz General Insurance
Company Ltd.,
Through its Authorized Signatory/
Manager, Nashik
& 02 others.

.. Non-applicants.

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Mr. Amol S. Sawant, Advocate, for the applicants.

*Mr. S.G. Chapalgaonkar, Advocate, for non-applicant
no.01.*

Mr. A.R. Syed, Advocate, for non-applicant no.03.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 04TH JUNE 2019

ORAL ORDER :

01. Present application has been filed for withdrawal of the amount deposited by the appellant in this Court. The said amount is deposited towards satisfaction of the award as per the order of this Court.

02. Taking into consideration the fact that the points those are raised by the appellant, it will not be proper to allow the applicants to withdraw the entire amount. However, taking into consideration the fact that the compensation was awarded to the extent of Rs. 23,39,296/- together with interest at the rate of 09 % per annum and the appellant has deposited amount of Rs. 32,14,979/-, it would be appropriate to allow applicant no.01 to withdraw amount of Rs. 7,00,000/- at this stage.

03. Hence, the following order :-

(a) Applicant no.01, namely, Mangalbai is permitted to withdraw amount of Rs. 7,00,000/- [Rupees seven lacs], subject to giving undertaking by her, in this Court, that in case, first appeal is decided against her, she will make good the said amount. Undertaking be filed within 15 days from today.

(b) Civil Application is disposed of in the above terms.

(Smt. Vibha Kankanwadi)
JUDGE

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