

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

979 CIVIL APPLICATION NO.5255 OF 2019
IN FA/189/2019

RATNAMALA ARUN BOBADE
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THR ITS AUTHORIZED SIGNATORY,
AURANGABAD AND OR

...
Advocate for Applicant : Dadpe Prasanna D.
Advocate for Respondent No.1 : M. R. Deshmukh

...
CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 14-06-2019.

PER COURT :

1. The entire amount as directed by the Tribunal is stated to have been deposited which comes to Rs.43500/-. The appeal has been filed stating that, there was breach of terms of policy by the owner of the offending vehicle. As the driver was not holding valid and effective driving licence on the date of the accident, and that the Tribunal has not passed the order for pay and recover. Under such circumstance, there is no hurdle to allow the applicant to withdraw the entire amount that has been deposited.
2. Applicant is allowed to withdraw the entire amount by filing usual undertaking that in case he is directed to make good the said amount, he would make it. The said undertaking be supplied on or before 12-07-2019.
3. Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-