

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**1032 CIVIL APPLICATION NO.6729 OF 2019
IN FA/300/2019**

VIJAY S/O BHARAT AUTE
VERSUS
THE NEW INDIA ASSURANCE COMPANY LTD.

.....
Mr. S. B. Choudhari, Advocate for appellant.
Mr. M. R. Deshmukh, Advocate for respondent No.1.
Mr. V. P. Savant, Advocate for respondents No.5 and 6.

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

PER COURT :

1. Present application is filed for withdrawal of the amount.
2. It is stated that, the amount of Rs.4,63,820/- has been deposited. Though the application has been strongly opposed by the insurance company who is has deposited amount, at the most if the insurance company- the appellant succeeds, may get it recovered from the another insurance company who is made equally liable to pay compensation to the applicant.
3. Under such circumstance, the applicant is allowed to withdraw an amount of Rs.2,00,000/- from the deposited amount as per the order of this Court in First Appeal No.300 of 2019. He shall submit an undertaking that if at all he is directed to make good the said amount at the time of final disposal of the appeal, he would make it good. Said undertaking would be given on or before 12-07-2019. With these observations, the application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-