

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**1014 CIVIL APPLICATION NO.6417 OF 2019
IN FA/1198/2019**

RAM DIGAMBAR SONAWANE
VERSUS
ANITA ANNASAHEB GODASE AND ORS

...
Advocate for Applicant : Mr. Shinde Ram S.
Advocate for Respondent No.3 : Mr. S. G. Chapalgaonkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 23rd AUGUST, 2019

ORDER :

. Present application has been filed for withdrawal of the amount. The appellant-present respondent No.3 in the application has deposited amount of Rs.13,25,833/- as per the orders of this Court. It has been submitted on behalf of the appellant-Insurance Company that the appeal has been filed challenging the involvement of the vehicle itself, which was insured with it in the alleged accident.

2. At this stage, competent Court has come to the conclusion that the vehicle insured with the appellant is involved in the accident. Definitely, case is made out for partial withdrawal of the amount. Taking into consideration the fact that the claimant has sustained 100% loss of income, the claimant is allowed to withdraw amount of

Rs.9,00,000/- 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.

3. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/