

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**1033 CIVIL APPLICATION NO.6730 OF 2019
IN FA/181/2019**

RAJENDRA SHARAD SALVE
VERSUS
THE RELIANCE GENERAL INSURANCE CO.LTD.
THR. ITS AUTHORIZED SIGNATORY, AURANGABAD AND ANR.

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Mr. A. D. Aghav, Advocate for applicant.
Mr. S. G. Chapalgaonkar, Advocate for Respondent No.1.

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

PER COURT :

1. Present application has been filed for withdrawal of the amount. An amount of Rs.2,24,600/- has been deposited by order of this Court.
2. The insurance company has opposed the award on two counts, one is that, there is breach of terms of policy in respect of driving licence of the driver who was driving the offending vehicle and also on the point that there is contradictory negligence of the applicant himself.
3. Taking into consideration those aspects, at this stage, the applicant is allowed to withdraw amount of Rs.1,00,000/-. 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/-