IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1056 CIVIL APPLICATION NO.7679 OF 2019
IN FAST/899/2019

SANJAY BHIMRAJ MHASKE AND RS
VERSUS
THE ORIENTAL INSURANCE CO.LTD., THR ITS MANAGER, ANDANR
...
Advocate for Applicants : Mr. Wagh Umakant U
Advocate for Respondent No.1 : Mr. U. S. Malte
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 5th JULY 2019

ORDER :

1. Present application has been filed for withdrawal of the amount. Present respondent No.1 has deposited amount of Rs.10,21,068/- towards the award as per the order passed by this Court on stay application.

2. The appeal has been filed on the point of non involvement of the vehicle insured with respondent No.1 as well as in consequence to that regarding quantum. Taking into consideration the fact that the interest of both the parties are required to be protected, case is made out for partial withdrawal.

3. Applicants are allowed to withdraw 50% of the amount deposited in this Court and the distribution of that 50% would be

equally to the applicant Nos.1 and 2 subject to giving undertaking that they would make the said amount good, if directed at the time of final disposal of the First Appeal

4. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/