

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**1058 CIVIL APPLICATION NO.7681 OF 2019
IN FAST/27938/2018**

**JITENDRA RAMCHANDRA JADHAVAND ANR
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD., AND ANR**

...
Advocate for Applicants : Mr. Wakure Sanjay A.
Advocate for Respondent No.1 : Mr. S. G. Chapalgoankar
Advocate for Respondent No.2 : Mr. V. B. Deshmukh
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**CORAM : SMT. VIBHA KANKANWADI, J.
DATE : 5th JULY 2019**

ORDER :

1. Present application has been filed for withdrawal of the amount. Amount of Rs.3,85,005/- has been deposited by respondent No.1. Respondent No.1 has filed the appeal on the point of breach of terms of policy as well as quantum.
2. Taking into consideration the fact that at present the competent Court has held respondent No.1 liable, case is made out for partial withdrawal of the amount.
3. Applicant Nos.1 and 2 are allowed to withdraw 50% of the amount deposited. The said 50% amount be distributed equally to applicant Nos.1 and 2. Applicant Nos.1 and 2 are directed to give

undertaking within a period of eight weeks 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/