

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

**998 CIVIL APPLICATION NO.8036 OF 2019
IN FA/2853/2017**

**NARAYAN DEVIDAS SAHANE
VERSUS
THE NEW INDIA ASSURANCE CO. LTD. THR BRANCH MANAGER AND
ORS**

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Advocate for Applicant : Mr. Humbe Vilas M.
Advocate for Respondent No.1 : Mr. A. S. Usmanpurkar
Advocate for Respondent Nos.2 & 3 : Mr. N. L. Jadhav

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 12th JULY 2019

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.2,69,619/- has been deposited by the Insurance Company. The appeal has been filed on the ground that there was breach of terms of policy by the owner. The driver was not holding valid and effective driving license on the date of the accident. So also, there was no permit and fitness certificate for vehicle. Taking into consideration the points raised in the appeal, case is made out for partial withdrawal of the amount.

2. Applicant is allowed to withdraw 1,75,000/- subject to giving an undertaking 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/