

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

914 CIVIL APPLICATION NO.8738 OF 2012 IN CA/11682/2011 IN
FAST/17554/2011

NITIN SHIVAJI KARKHILE AND ORS.
VERSUS
THE NEW INDIA ASSURANCE CO LTD.

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Advocate for Applicants : Mr. A.M. Gholap
Advocate for Respondent No.1 : Dhananjay P. Deshpande
Advocate for Respondent No.2 and L.Rs. of Respondent No.2 : Mr.
D.R. Markad

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CORAM : P.R. BORA, J.

DATED : 08th FEBRUARY, 2019

PER COURT:-

1. Heard the learned counsel appearing for the applicant and the learned counsel appearing for the respondent-insurance company
2. For the reasons stated in the application, the order passed by this Court on 05.10.2011 in CA No.11682/2011 is modified to the extent that the entire 50% amount permitted to be withdrawn by the applicant is permitted to be withdrawn on the same surety, which is already furnished while withdrawing the 25% of the amount.
3. Civil Application stands disposed of.

**(P.R. BORA)
JUDGE**