

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

18 FIRST APPEAL NO.1602 OF 2007

NEW INDIA ASSURANCE CO LTD AURANGABAD
VERSUS
PUNDLIK LAXMANRAO GAIKWAD & ORS

...
Advocate for Respondent No.1 : Shri R.K. Ashtekar

...
CORAM : P.R. BORA, J.
Dated: January 24, 2019

PER COURT :-

1. When the present matter is taken up for hearing, none has appeared for the appellant – Insurance Company. Notice was issued to the appellant - Insurance Company since the Counsel appearing for the Insurance Company expired during pendency of the appeal. However, despite service of notice, no one has caused appearance for the appellant – Insurance Company. In the result, the following order is passed.

ORDER

- (i) The appeal is dismissed for want of prosecution.
- (ii) Respondent No.1 i.e. original claimant is permitted to withdraw the amount deposited by the Insurance Company with interest accrued thereon.

(**P.R. BORA, J.)**

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