

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

**1066 CIVIL APPLICATION NO.10402 OF 2019
IN FA/1269/2019**

**SHAHAJI BHIVAJI KAMBLE ANDANR
VERSUS
IFFCO TOKYO GENERAL INSURANCE CO. LTD., THR ITS BRANCH
MANAGER, LATUR AND ORS**

...
Advocate for Applicant : Mr. Shinde-Borolkar Ram S.
Advocate for Respondent No.1 : Mr. V.N. Upadhye
Advocate for Respondent No.5 : Mr. Syed Parvez Syed Gani
Advocate for Respondent No.6 : Mr. S.G. Chapalgaonkar
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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 30th AUGUST, 2019

ORDER :

. Present application has been filed for withdrawal of amount. Amount of Rs.24,47,799/- has been deposited apart from the statutory amount. The appeal has been filed challenging the involvement of the vehicle, belated F.I.R. and in the alternative the case ought to have been considered as of composite negligence. Therefore, taking into consideration the interest of both the parties, the applicants are allowed to withdraw amount of Rs.6,00,000/- each subject to filing an 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 appeal.

2. Civil Application stands disposed of accordingly.

(SMT. VIBHA KANKANWADI, J.)

SCM