

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

**953 CIVIL APPLICATION NO.3274 OF 2019
IN FA/2322/2018**

**SUNITA MACCHINDRA AMALE AND ORS
VERSUS
SITARAM RANGNATH GHOLAP AND ANR**

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Advocate for Applicants : Ms. Savita P. Kakade h/f Ms. Kathane Savita A.
Advocate for Respondent No.2 : Mr. D.P. Deshpande

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 28th JUNE 2019

ORDER :

1. Present application has been filed for withdrawal of the amount. Respondent No.2 has deposited amount of Rs.69,06,099/-. The appeal has been filed challenging the quantum as well as the fact of non-involvement of the vehicle insured with respondent No.2.

2. Taking into consideration the fact that competent Court has arrived at the conclusion, at this stage, case is made out for partial withdrawal of the amount. Under such circumstance, applicant No.1 is allowed to withdraw amount of Rs.5,00,000/-. Applicant Nos.2, 3 and 4 are allowed to withdraw amount of Rs.2,00,000/- each.

3. Applicants shall file 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 First Appeal. If it is not filed within the above said period, then cost may be imposed on the applicants.

4. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/