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

**928 CIVIL APPLICATION NO.11 OF 2019
IN FAST/30495/2017**

PARWATIBAI NAMDEO JONDHALE (DIED) THR LRS PURBHAJI
VERSUS
NEW INDIA INSURANCE CO. LTD., THR ITS DIVISIONAL
MANAGER, AURANGABAD AND ANR

...

Advocate for Applicant : Mr. Suryawanshi Govind G.
Advocate for Respondent No.1 : Mr. S.G. Dargad h/f
Mr. S.G. Chapalgaonkar

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**CORAM : P.R. BORA, J.
DATED : 09th JANUARY, 2019.**

PER COURT:-

. Heard Shri Suryawanshi, the learned
counsel appearing for the applicant.

2. Perused the order passed by this Court on
12.04.2018. Vide the said order, the applicants
were permitted to withdraw 75% of the amount
deposited in this Court along with accrued interest
thereon, on furnishing an undertaking that
applicants shall pay back/re-deposit the amount in
this Court being withdrawn under the said order,
within a period of three months from the date of
decision in appeal, if the decision goes against
their interest. Undertaking was directed to
be filed within a period of three

weeks from the date of the said order.

3. The learned counsel for the applicants submitted that the applicants could not file the aforesaid undertaking within the stipulated period of three weeks since, in the meanwhile applicant no.1 died and as such, the undertaking could not be filed. By filing the present application, the applicants have sought permission to file such an undertaking within next two weeks. The permission as prayed for deserves to be granted and it is accordingly granted.

4. The applicants shall file the undertaking within two weeks as directed vide order passed on 12.04.2018. The civil application stands disposed of.

(P.R. BORA, J.)

Mujaheed//