IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 CIVIL APPLICATION NO.1710 OF 2019

IN FA/771/2018

RAJU @ RAJESH JAYARAM GADHE

VERSUS

BALABHAU BABURAO WAGH AND ANR

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Advocate for Applicant : Mr. K.B. Jadhav h/f
Ms. Kingaonkar Pallavi S.

Advocate for Respondent Nos.1 & 2 : Mr. A.N. Nagargoje

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 21st JUNE 2019

ORDER :

1. Present application has been filed for withdrawal of the amount. It is stated that the respondent No.1 has deposited amount of Rs.4,68,125/-. The appeal has been filed challenging the fact that there is belated FIR. As there was collusion between two vehicles, the owner of the other vehicle has not been made as a party respondent for challenging the exorbitant compensation.

2. Taking into consideration the fact that the judgment and award is passed against the present respondents. Though the appeal is pending, case is made out for partial withdrawal of the amount.

3. Applicant is allowed to withdraw amount of Rs.2,00,000/- by submitting undertaking within a period of one month that he would making the said amount good, if directed at the time of disposal of the First Appeal.

4. Civil Application stands disposed of.

(Smt. Vibha Kankanwadi, J.)

Shubham/