

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY*****CIVIL APPELLATE JURISDICTION*****FIRST APPEAL (ST) NO. 13683 OF 2018****ALONGWITH****CIVIL APPLICATION NO. 4418 OF 2018****ALONGWITH****CIVIL APPLICATION NO. 4419 OF 2018****ALONGWITH****INTERIM APPLICATION NO. 1 OF 2019****Bajaj Allianz General Insurance Co. Ltd.****..... Appellant/  
Applicant****VERSUS****Sunita Sunil Lohar & Ors.****..... Respondents**

Mr.Devendranath S. Joshi for the Appellant/Applicant.

None for the Respondent.

**CORAM : R.D. DHANUKA, J.****DATE : 20<sup>th</sup> NOVEMBER, 2019****P.C.**

The papers are allowed to be produced at 03.00 p.m.

2. First appeal not on board. Taken on board.
3. Learned counsel for the appellant on instruction seeks liberty to withdraw this first appeal unconditionally. First appeal is dismissed as withdrawn. No order as to costs.
4. Refund of court fees, if any, as per rules.
5. In view of dismissal of the first appeal, both the civil applications and interim application do not survive and are accordingly

disposed of.

6. Office is directed to transmit statutory deposit of Rs.25,000/- deposited by the appellant before this court to the concerned M.A.C.T. expeditiously. Upon transmission of the said amount, the claimant would be at liberty to withdraw such amount upon production of the authenticated copy of this order.

7. The claimant is permitted to withdraw the amount deposited by the appellant before the concerned M.A.C.T. unconditionally.

**[R.D.DHANUKA, J.]**