

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION***

**CIVIL APPLICATION NO.2041 OF 2015
IN
FIRST APPEAL (ST) NO. 28776 OF 2014**

**ALONGWITH
FIRST APPEAL (ST) NO. 28776 OF 2014**

The Oriental Insurance Co. Ltd.

**..... Applicant/
Appellant**

VERSUS

Essa Kayyumuddin Sayyed

..... Respondent

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

None for the Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 20th 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 on the ground that the final judgment and award has been rendered by the tribunal in favour of the appellant. First appeal is dismissed as withdrawn.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 the dismissal of the first appeal, civil application does not survive and is 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.

7. The claimant would be at liberty to withdraw such amount upon transmission of the said amount from this court upon production of the authenticated copy of this order.

[R.D.DHANUKA, J.]