

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

**FIRST APPEAL NO. 1263 OF 2015
WITH
CIVIL APPLICATION NO. 979 OF 2014**

Bajaj Allianz General Ins. Co. Ltd.

..... Appellant.

Vs.

Rambhabai Eknath Hiray & Ors.
Respondents.

.....

Milind M. Sathaye for the Appellant.
None for Respondents.

.....

.....

**CORAM : K.K.TATED, J.
DATED : SEPTEMBER 17,**

2019

P.C.

1 Not on board. At the request of advocate for the Appellant, matter is taken on board for urgent orders.

2. By this First Appeal, the Appellant insurance company is challenging the Judgment and award dated 2nd August, 2013 passed by the Motor Accident Claims Tribunal, Malegaon in Motor Accident Claim Petition No. 396/2009 holding that the Respondents/Original Claimants are entitled to sum of Rs. 2,08,000/- by way of compensation with interest @ 6% p.a.

3. The Learned Counsel for the Appellant submits that, he has received instructions from his client to withdraw the present First Appeal as well as pending Civil Application. To that effect he has given in writing. The same

is taken on record and marked as 'X' for identification. The same is accepted. Hence, the following order:

- a. The First Appeal as well as Civil Application stand disposed of as withdrawn.
- b. Refund Court fees as per rule.
- c. If any amount is deposited by the Appellant insurance company in the Registry of this Court, then the said amount to be transferred to the Motor Accident Claims Tribunal, Malegaon in the account of Motor Accident Claim Petition No. 396 of 2009.
- d. Liberty is granted to the Appellant to move an appropriate application before the Tribunal for withdrawal of the said amount.

(K.K.TATED, J.)