

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAF) NO. 3841/2018

IN

FIRST APPEAL NO. 1304 OF 2018

The Oriental Insurance Co. Ltd. V/s Ramdas Lalu Madavi and others.

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri A.V. Joshi, counsel for the appellant.
Ms Priti Badwaik, counsel for the respondent Nos. 1 and 2.
Shri N.R. Bhishikar, counsel for the respondent No.3.

CORAM: ARUN D. UPADHYE, J.

DATE: 08-02-2019.

Heard learned counsel for the parties.

Perused the application. This is an application
filed by the respondent Nos.1 and 2 for grant of permission
to withdraw the amount.

Considering the above facts and circumstances, I
am of the view that at present permission to withdraw the
amount could be granted to the extent of 40% out of total
amount deposited in this Court and remaining amount 60%
be kept in fixed deposit till disposal of the appeal.

The respondent nos. 1 and 2 to furnish usual
undertaking to the effect that in case appeal is allowed, they
will refund the amount with interest to the appellant. Both
the respondent Nos. 1 and 2 are having equal share and
they are permitted to withdraw 40% amount.

JUDGE