

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 CIVIL APPLICATION NO.12931 OF 2019
IN FA/122/2017

VAISHALI DIPAK WARADE
VERSUS
UNITED INDIA INSURANCE CO. LTD. AND ANR

Mr.V.Y. Bhide, Advocate for the applicant.
Mr.A.B. Gatne, Advocate for respondent No.1.

CORAM : V.L.ACHLIYA,J.
DATED : 08.12.2020

P.C. :-

01. The applicant/claimant has moved this application seeking withdrawal of Rs.14,66,792=70 deposited by the insurance company in terms of modified award passed pursuant to judgment and order dated 15.07.2019 in First Appeal No.122 of 2017, which was corrected vide order dated 27.08.2019.

02. Appellant-insurance company has disputed the withdrawal of the amount as claimed in the application. In view of dispute confines to calculation of amount, the learned counsel for the parties suggested to mutually assess the amount to be payable amongst appellant and respondent.

3. Learned Counsels for the parties submit that

they have worked out the amount to be payable, out of amount deposited with Court. The pursis filed with the signature of both the advocates representing parties taken on record and marked as "X" for identification.

04. The amount to be payable to appellant – insurance company and respondents-claimants as refund from the amount deposited in Court has been specified in clause (6) and (7) of joint pursis. Accordingly, with the consent of both the parties, the application is disposed of in terms of joint pursis filed as "X". The parties are allowed to withdraw the amount in terms of clause (6) and (7) of joint pursis.

05. The application is disposed of in above terms.

[V.L.ACHLIYA,J.]