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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (STAMP) NO.1095 OF 2011
WITH
CIVIL APPLICATION NO.3072 OF 2011
WITH
CIVIL APPLICATION NO.3532 OF 2015

National Insurance Co. Ltd.	...Appellant
V/s.	
Baburao S. Bobe & Ors.	...Respondents

Ms.Harshada Rane for the Appellant.

Mr.Santaram Tarale with Mr.Nitin S. Dhumal for the Respondent
Nos.1 and 2.

CORAM : R.D. DHANUKA, J.
DATE : 2ND MARCH, 2020.

P.C. :-

1. Learned counsel appearing for the appellant on instructions seeks liberty to withdraw this First Appeal unconditionally. The First Appeal is dismissed as withdrawn. Refund of Court fees, as per Rules. Office is directed to transmit the statutory amount of deposit, if any, made by the appellant to the concerned Tribunal expeditiously.

2. In view of withdrawal of the First Appeal, pending civil applications, if any, do not survive and are accordingly disposed of. The original claimants are permitted to withdraw the entire amount deposited by the appellant with the Tribunal excluding the amount already withdrawn. If there is any short fall in recovering the decretal

amount, the appellant shall deposit the balance amount within two weeks from the date of such computation by the concerned M.A.C.T. If there is any surplus amount left after payment of the decretal amount, the Tribunal shall refund the said amount to the appellant on production of an authenticated copy of this Court.

3. The personal guarantee given by the original claimants while withdrawing part of the amount stands cancelled.

4. All parties as well as the Tribunal to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)