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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.428 OF 2014  
WITH  
CIVIL APPLICATION NO.1634 OF 2012  
AND  
CIVIL APPLICATION NO.147 OF 2020

United India Insurance Co. Ltd. ...Appellant  
V/s.  
Ms.Laxmi D. Naikar & Ors. ...Respondents

Mr.Rahul Mehta i/b M/s.KMC Legal Venture for the Appellant &  
Applicant in CAF No.1634 of 2012.

Mr.Shivkumar R. Gupta for the Respondent Nos.1 and 2 and for the  
Applicant in CAF No.147 of 2020.

**CORAM : R.D. DHANUKA, J.**  
**DATE : 11TH FEBRUARY, 2020.**

**P.C. :-**

1. Mr.Mehta, learned counsel appearing for the appellant tenders a copy of the instructions received from the appellant instructing the learned advocate on record to withdraw this First Appeal. A copy of the said email is taken on record. The First Appeal is dismissed as withdrawn. The office is directed to transmit the statutory deposit of Rs.25,000/- deposited by the applicant to the M.A.C.T. Alibag expeditiously.

2. In view of withdrawal of the First Appeal, the respondent nos.1 to 2 would be at liberty to withdraw the entire amount deposited by the appellant before the M.A.C.T., Alibag in MACP

No.331 of 2004. 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 M.A.C.T. The respondent nos.1 and 2 would be at liberty to withdraw such amount also. If it is found that the appellant has deposited surplus amount, after paying the decretal amount to the respondent nos.1 and 2, the Tribunal shall refund the said amount to the appellant on production of an authenticated copy of this Court.

3. In view of disposal of the First Appeal, pending civil applications, if any, do not survive and are accordingly disposed of. No order as to costs.

***(R.D. DHANUKA, J.)***