

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

**CIVIL APPLICATION NO. 37 OF 2020
IN
FIRST APPEAL ST. NO. 19400 OF 2018**

Sadanand Gopal Shinde ...Applicant

IN THE MATTER OF

Bajaj Allianz Gen. Ins. Co. Ltd. ...Appellant

Versus

Sadanand Gopal Shinde & Anr. ...Respondents

.....
Mr.T.J.Mendon for the Applicant.
Mr.Sarthak S. Diwan for the Original Appellant.
.....

CORAM: V.G.BISHT, J.
DATE: 15TH JANUARY, 2020

PC:-

1. This application is moved for withdrawal of amount deposited by the original appellant pursuant to the judgment and award dated 30th June, 2017 passed by the learned District Judge-1 & Ex- Officio Member, M.A.C.T., Mangaon- Raigad in M.A.C.P. No. 96 of 2012.

2. Heard the learned Counsel for both the parties.

3. Considering the judgment and award and the submission of the learned Counsel, the applicant is allowed to withdraw 50% of the amount deposited by the appellant/insurance company. The applicant is directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest. The remaining amount is to be deposited in the fixed deposit of any nationalized bank.

4. Civil Application is allowed and accordingly disposed of.

(V.G.BISHT, J.)