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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4455 OF 2016
IN
FIRST APPEAL NO.1191 OF 2015

Vijaykumar G. Gosavi & Ors. ...Applicants

IN THE MATTER BETWEEN :

The New India Assurance Co. Ltd. ...Appellant

V/s.

Vijaykumar G. Gosavi & Ors. ...Respondents

Mr.P.J. Pawar for the Applicants.

Mr.S.M. Dange for the Appellant.

Ms.Pooja Yadav with Mr.Jyotishwar Bhosale for the Respondent
Nos.6 and 7.

CORAM : R.D. DHANUKA, J.
DATE : 7TH JANUARY, 2020.

P.C. :-

1. With the assistance of the learned counsel for the parties, I have perused the impugned order. I am of the *prima-facie* view that the findings rendered by the M.A.C.T., Satara while awarding a sum of Rs.55,51,854/- together with interest at 9% from the date of petition till realization is proper.

2. Mr.Dange, learned counsel appearing for the appellant seeks time to argue this matter finally and seeks to place reliance on the police record forming part of the record before the Tribunal.

3. Place the matter high on board on 21st January, 2020. The applicants are permitted to withdraw 50% of the amount already deposited by the appellant in addition to the amount of Rs.2,00,000/- permitted to be withdrawn by the Division Bench of this Court by an order dated 19th October, 2015 without any security. The Tribunal to permit the applicants to withdraw the aforesaid amount on producing an authenticated copy of this order.

4. Parties are directed to file compilation of pleadings, documents and evidence forming part of the record before the Tribunal and shall serve a copy thereof on the other side in advance.

5. The civil application is disposed of on aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)