

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.2304 OF 2020 IN
FIRST APPEAL ST. NO.24053 OF 2019**

Shashikant @ Sachin Raosaheb Gaikwad ... **APPLICANT**

VERSUS

Singara Singh Harnamsingh & anr. ... **RESPONDENTS**

.....
Mr. R.L. Kute, Advocate for applicant

Mr. M.M. Ambhore, Advocate for respondent No.2.
.....

CORAM : R. G. AVACHAT, J.

DATE : 30th AUGUST, 2021

PER COURT :

Heard learned counsel for the parties. Perused the impugned award. The challenge is, interalia, on the ground of contributory negligence. The appeal is still pending for condonation of delay for preferring the same. In the fitness of things, the applicant is permitted to withdraw 50% of the amount in deposit with this Court on furnishing usual undertaking. The amount to be paid to the applicant be transferred to the Motor Accident Claims Tribunal, Sangamner, District Ahmednagar for being paid the same to the applicant there immediately. The applicant shall furnish undertaking before the Tribunal, and the Tribunal in turn shall transmit the same to this Court. Civil Application No.2304/2020 stands disposed of.

2. List the Civil Application No.10033/2019 on 6th September 2021.

**(R. G. AVACHAT)
JUDGE**

fmp/-