

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

**24 CIVIL APPLICATION NO.7680 OF 2019
IN FA/2521/2019**

**VIMAL MADHUKAR VARPE AND ORS
VERSUS
THE NEW INDIA ASSURANCE CO. LTD., THRU ITS MANAGER
ANDANR**

Mr. S. T. Mahajan, Advocate h/f Mr. B. R. Warmaa, Advocate for the applicants

Mr. S. R. Bodade, Advocate for respondent No.1

CORAM : V. L. ACHLIYA, J.

DATE : 08-02-2021

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1. This is a second application filed by the applicants seeking withdrawal of amount deposited by the insurance company.

2. Heard learned counsel for the applicants and learned counsel representing the appellant/insurance company.

3. In brief, it is the contention of the learned counsel for the applicants that while passing earlier order dated 19-12-2017, an amount of Rs. 10,00,000/- has been allowed to be withdrawn out of Rs. 50,00,000/- deposited in this court. The applicants are in need of more amount to meet their requirements.

4. Learned counsel for the appellant opposed the

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application with contention that the earlier order dated 19-12-2017 [Coram: K. L. Wadane, J.] has been passed after due consideration of challenge raised in the appeal.

5. Considering the challenge raised in the appeal and the order dated 19-12-2017 allowing the withdrawal of amount passed after hearing the parties, I am of the view no case is made out to entertain the application. The application is rejected.

6. Hearing of the appeal is expedited. By consent, list the appeal for final hearing on 01-03-2021.

[V. L. ACHLIYA, J.]

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