

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

**CIVIL APPLICATION NO.8657 OF 2021 IN
FIRST APPEAL NO.2329 OF 2020**

Balaji s/o Padmakar Ghabade

... **APPLICANT**

VERSUS

HDFC ERGO General Insurance
Company Ltd. & ors.

... **RESPONDENTS**

.....
Mr. P.D. Dapde, Advocate for applicant

Mr. S.G. Chapalgaonkar, Advocate for respondents No.1 and 2

.....

CORAM : R. G. AVACHAT, J.

DATE : 24th AUGUST, 2021

PER COURT :

Heard learned counsel for the parties. Perused the impugned award. The appeal has been filed on the ground that the Driver of the vehicle did not have valid and effective driving licence at the relevant time. The Tribunal has not upheld the contention of the Insurance Company and, therefore, an application to lead additional evidence has been preferred in this appeal. It will take time for hearing of the appeal.

2. In the fitness of things, the applicant is permitted to withdraw 50% of the amount in deposit with this Court, on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The application is disposed of.

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

fmp/-