

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

**CIVIL APPLICATION NO.11649 OF 2021
IN FAST/27228/2019**

**ANNARAO VITHALRAO KADAM
VERSUS
THE ORIENTAL INSURANCE CO. LTD. AND ANOTHER**

Mr.G.K.Muneshwar, Advocate for applicant
Mr.A.G.Kanade, Advocate for respondent no.1

**CORAM : R.G. AVACHAT, J.
DATE : DECEMBER 02, 2021**

ORDER :-

It is an injury claim. The appeal has been preferred by the insurance company on the ground of contributory negligence and quantum as well. This Court, vide order dated 08.11.2019 in Civil Application No.12756 of 2019, granted stay to the execution of the impugned award, on the condition of depositing 50% of the amount thereunder. Same indicates the appellant may have a good ground in the appeal.

2. In the fitness of things, the applicant is permitted to withdraw entire amount in deposit i.e. 50% under the impugned award, with interest accrued thereunder, on furnishing usual undertaking to the satisfaction of learned Registrar (Judicial) of this Court. The application stands disposed of.

[R.G. AVACHAT, J.]