

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

**CIVIL APPLICATION NO.13136 OF 2021
IN
FA/1388/2010**

**PRASHANT LAXMANRAO PAWAR
VERSUS
DADA HARIBHAU DALVI AND OTHERS**

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Ms. Mangal R. Chavan, Advocate for the Applicant
Mr. S.D. Hussain, Advocate h/f Mr. S.G. Chapalgaonkar, Advocate
for Respondent no.3

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 08th DECEMBER, 2021

PER COURT:-

1. It is an application for withdrawal of amount moved by the applicant / original claimant.
2. Heard Ms. Mangal R. Chavan, learned counsel for the applicant and Mr. S.D. Hussain, learned counsel h/f Mr. S.G. Chapalgaonkar, learned counsel for Respondent no.3 / insurance company. Perused the earlier order passed by this Court on 03.09.2010.

3. The order passed by this Court in civil application no. 12614/2010 dated 03.09.2010 is very much clear. As per the order passed by this Court, respondent no.3 has deposited an amount of Rs.1,12,920/- in this Court. After depositing the amount, this Court was pleased to allow the applicant to withdraw the amount of Rs.75,000/- on furnishing solvent security of the like amount.

5. Having regard to the order passed by this court dated 03.09.2010 and by looking to the facts of the case and grounds of the appeal, I am not convinced to allow this application so as to withdraw the entire amount with accrued interest thereon deposited by respondent no.3.

ORDER

- (i) The application is hereby rejected.
- (ii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane