

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

**CIVIL APPLICATION NO. 12472 OF 2021
IN
FIRST APPEAL (ST) NO. 27824 OF 2019**

Vaishali Suresh Patole and Others

..APPLICANTS

VERSUS

The New India Assurance Co. Ltd.
Through the Manager and Others

..RESPONDENTS

....

Mr. A.S. Bajaj, Advocate for applicants

Mr. A.S. Usmanpurkar, Advocate for respondent no.1

....

CORAM : R.G. AVACHAT, J.

DATED : 24th NOVEMBER, 2021

PER COURT :

1. Heard.

2. According to learned counsel for the applicants, it is a case of contributory negligence. The police has however, charged the driver of the offending vehicle.

3. In the fitness of things, the applicants are permitted to withdraw 60% of the amount in deposit as against usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. Civil application stands disposed of.

(R.G. AVACHAT, J.)

SSD