

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO. 1617 OF 2021

IN

FIRST APPEAL NO. 1385 OF 2017

(The Manager, United India Insurance Co. Ltd., Akola Vs. Sk. Gani s/o Gulam
Rasool and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Asghar Hussain, Advocate for the appellant.
Shri N.A. Gaikwad, Advocate for respondent Nos.1 and 2.
Shri B.M. Kharkate, Advocate for respondent Nos.3 and 4.

CORAM:- PUSHPA V. GANEDIWALA, J.

DATED :- AUGUST 24, 2021

Heard.

2. Perused the order dated 20/06/2017 and 11/01/2019. Vide order dated 11/01/2019 passed in Civil Application No.3068/2018, the applicants/respondent Nos.1 and 2 were already permitted to withdraw an amount of Rs.3,00,000/- from the Registry of this Court subject to filing an undertaking in this Court.

3. It is stated that the decretal amount was deposited by the appellant before the Reference Court. It is stated that due to inadvertent mistake on the part of the learned counsel for the applicants, it was stated before this Court that the amount was deposited with the Registry of this Court.

4. Considering the above fact, the applicants/respondent Nos.1 and 2 are now permitted to withdraw the aforesaid amount from the Registry of the Reference Court on furnishing usual undertaking to the satisfaction of the Reference Court and the order dated 11/01/2019 is recalled with regard to directing the applicant to submit an undertaking in this Court.

5. The application stands disposed of.

JUDGE

**DB*