

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

CIVIL APPLICATION NO.13727 OF 2021
IN
REJECTED CASE NO. 758 OF 2020 IN FAST/5750/2020

RAMLING SHRIHARI NADE AND ANOTHER
VERSUS
NEW INDIA ASSURANCE CO. LTD., AND OTHERS

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Mr. P.P. More, Advocate for the Applicants

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 10th JANUARY, 2022

PER COURT:-

1. Heard Mr. P.P. More, learned counsel for the applicants. Mr. M.R. Deshmukh, learned counsel for respondent no.1 is absent, when matter is called out.

2. This application came to be adjourned at the request of Mr. M.R. Deshmukh, learned counsel for respondent no.1 for taking necessary instructions. However, Mr. Deshmukh remained absent today.

3. The question is about allowing the application to withdraw the amount in view of disposal of the first appeal in the year 2013.

There is no point in detaining the amount, when the appeal has been disposed of long back in the year 2013. The application needs to be allowed.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (B) on condition to furnish usual undertaking to the satisfaction of the Registrar (Judicial) of this Court furnish
- (ii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P Rane