

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION
FIRST APPEAL No. 2070 OF 2006****The New India Assurance Co. Ltd., Pune ...Appellants****Vs.****Raju Gangaram Kadbane and Ors. ...Respondents****WITH****INTERIM APPLICATION No. 1166 OF 2022****Raju Gangaram Kadbane and Ors. ...Applicants****vs.****The New India Assurance Co. Ltd., Pune ...Respondent***** * * *****Ms. R. Kundu i/b. Ms. Poonam Mali for Appellant in
First Appeal No. 2070/2006****Mr. Shailesh Chavan i/b. Milind Deshmukh for
Applicant in IA/1166/2022 and for Respondent Nos. 1 to
3 in FA****Ms. P.M. Bhansali i/b. G.S. Hegde for Respondent No.7****Coram : Sandeep K. Shinde, J.****Dated: 28th APRIL, 2022.****P.C. :**

1. Learned counsel for the Appellants, on instructions, seeks leave to withdraw the appeal. Leave granted. Appeal is disposed of as withdrawn.

2. Statutory Deposit under Section 173, first *proviso*, of Motor Vehicles Act, to be transferred to MACT, Pune in MACT No. 442/1994.

VAISHALI
ANIL
TIKAMDigitally signed
by VAISHALI
ANIL TIKAMDate:
2022.06.23
15:38:52
+0530

3. Appellants may claim refund of Court fees as per rules.
4. Respondent-Claimant shall withdraw the compensation amount deposited by the Appellants in the Trial Court, unconditionally and may institute proceedings to recover the balance amount of compensation.
5. Appeal is disposed of including all applications therein in aforesaid terms.

(Sandeep K. Shinde, J.)