

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

CIVIL APPLICATION (CAF) NO. 1290 OF 2022
IN
FIRST APPEAL NO. 67 OF 2022

Shriram General Insurance Co. Ltd. thr. its General Manager (Legal), Regional Office at Nagpur

...VERSUS...

Manohar Janbaji Vyawahare and anr.

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms. Ashwini S. Athalye, Advocate for appellant.
Shri Asghar Hussain, Advocate for respondent no. 1.

CORAM : SMT. M. S. JAWALKAR, J.

DATE : 19th August, 2022.

The present application is filed for dismissal of appeal and withdrawal of amount deposited by the appellant with accrued interest.

For the reasons stated in the application, the application is partly allowed. Withdrawal of 50% of amount will meet the ends of justice. Accordingly, I proceed to pass the following order:-

- a) Respondent no. 1 is permitted to withdraw 50% of amount along with accrued interest, subject to the undertaking that if the appellant succeeds in the appeal, respondent no. 1 will refund the amount as per final order which would be passed in the First Appeal.
- b) Registry is directed to disburse the said amount after verification of bank details and after supplying of undertaking within four weeks.

(Smt. M.S. Jawalkar, J.)