

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

949 CIVIL APPLICATION NO.12532 OF 2023
IN FA/529/2023
WITH CA/1290/2023 IN FA/529/2023

SOMITRA BHAGWAT BHAYGUDE & OTHERS
VERSUS
NEW INDIA ASSURANCE CO LTD. & OTHERS

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Advocate for Applicants : Mr.S.S.Dargad
Advocate for Respondent no.1 : Adv.Anand Date
h/f.Mr.S.S.Rathi

Advocate for Respondent nos.2 and 3 : Mr.P.D.Suryawanshi

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CORAM : ARUN R. PEDNEKER, J.

DATE : 07.11.2023

P.C. :

**A] ORDER IN CIVIL APPLICATION FOR
WITHDRAWAL**

1] The First Appeal is filed by the Insurance Company on the ground of quantum.

2] Heard the learned counsel for the parties.

3] The applicants are permitted to withdraw 50% of the amount to the extent of their shares along with interest accrued thereon till date subject to furnishing undertaking to the satisfaction of the Registrar [Judicial] of this Court. Civil Application is disposed of accordingly.

B] ORDER IN CIVIL APPLICATION FOR STAY

Since the appellant – insurance company has deposited the amount as directed by this Court, the interim stay granted by this Court stands confirmed. Civil Application is disposed of accordingly.

C] ORDER IN FIRST APPEAL

1] First Appeal is admitted. On admission, Mr.S.S.Dargad, learned counsel waives notice for respondent nos.1 to 4.

2] Call R. & P.

[ARUN R. PEDNEKER]
JUDGE

DDC