

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1010 CIVIL APPLICATION NO.12275 OF 2023
IN FA/2363/2023 WITH CA/7372/2023 IN FA/2363/2023

SUMAN WD-O BAPUSAHEB AHER
VERSUS
ICICI LOMBARD GENERAL INSURANCE CO LTD

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Advocate for Applicant: Mr. Amol Subhash Gandhi
Advocate for Respondent No.1: Mr. V. N. Upadhye

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CORAM : ARUN R. PEDNEKER, J.

DATE : 30th NOVEMBER, 2023

PER COURT:

1. Heard.

2. The appeal is filed on the ground of non-involvement of vehicle. The tribunal has also dealt with that aspect in it's judgment. The appeal is filed by the insurance company and the insurance company has deposited the amount as directed by the tribunal in this court.

3. The civil application for withdrawal of amount is filed by the original claimants - widow and son.

4. The applicants are permitted to withdraw 50% of the amount deposited in this court along with accrued interest thereon till date in the proportion of their shares, subject to furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this court. The civil application for withdrawal of amount stands disposed of.

5. The interim stay granted by this court stands confirmed. The civil application for stay stands disposed of.

6. The First Appeal is **admitted**. On admission, the learned counsel / AGP waive notice for the respective respondents. Office objections, if any, to be removed within a period of four (04) weeks from today.

[ARUN R. PEDNEKER, J.]

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