

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

**CIVIL APPLICATION NO. 12774 OF 2023
IN FA/2111/2012**

Vishwanath Punda Suryawanshi
and another

.. Applicants

Versus

Bajaj Allianz General Insurance Company
Limited Through its Branch Manager and another

.. Respondents

Mr. Sanjay V. Mundhe, Advocate for the Applicants.
Mr. Mohit R. Deshmukh, Advocate for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 20th OCTOBER, 2023.

P C. :-

. Heard the parties.

2. This application is filed seeking permission to withdraw the amount under FDR's as stated in prayer clause (B) of the application. This Court has already dismissed the appeal of the Insurance Company by order dated 19.10.2013. The amount then was deposited in the office of this Court and subsequently under the orders of the Court same was deposited in fixed deposit. From the letter of the Registrar dated 25.08.2014 it is seen that, the fixed deposit amounts were directed to be kept in those deposits till 28.08.2017. Thus, the FDR's

have matured long back. The applicants are, however, not in a position to withdraw the said amount invested in the FDR's as there are no specific orders passed by this Court while disposing of the appeal.

3. Considering this, this Court finds that, there is no propriety in retaining the amount in the FDR's as the first appeal is already dismissed against the present applicants.

4. The applicants are permitted to withdraw the amount. In view of the same, the application is allowed in terms of prayer clause (B). The parties to act accordingly.

5. The civil application stands disposed off.

(KISHORE C. SANT, J.)

P.S.B.