

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

**25 CIVIL APPLICATION NO.17289 OF 2022
IN FA/583/2022**

**ATARI ISHWAR TALOLE AND OTHERS
VERSUS
RELIANCE GENERAL INSURANCE CO. LTD., THR ITS AUTHORIZED
OFFICIAL, AURANGABAD AND OTHERS**

...
Advocate for Applicants : Mr.Sawant Amol Shivajirao
Advocate for Respondent No.1 : Mr. A.S.Usmanpurkar
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 02.01.2023

PER COURT :

Heard rival submissions. The applicants are seeking withdrawal of compensation amount which has been deposited by the appellant Insurance Company. The learned counsel for the respondent No. 1 - Insurance Company who has filed this appeal, strongly opposed the application on the ground that the appeal filed by the Insurance Company is filed only for limited purpose i.e. for seeking pay and recover order since the dishonour of cheque of premium amount was already intimated to the owner.

2. In view of the same, the applicants at this juncture, are permitted to withdraw 50% amount of deposited amount along with

the proportionate interest accrued thereon till date by furnishing usual undertaking to the satisfaction of learned Registrar (Judicial) of this Court. The remaining amount be invested in F.D.R. in any Nationalized bank on yearly renewal basis till disposal of this appeal.

3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-