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902FA4186.23

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 FIRST APPEAL NO. 4186 OF 2023

AND

CIVIL APPLICATION NO. 3450 OF 2024

IN FA/4186/2023

AND

CIVIL APPLICATION NO. 13797 OF 2023

IN FA/4186/2023

BAJAJ ALLIANCE GENERAL INSURANCE CO LTD THROUGH
ITS MANAGER AUTHROISED SIGNATORY

....Appellant

VERSUS

KANCHAN DNYANOBA SHINGARE AND OTHERS

.....Respondent

Mr. M. R. Deshmukh, Advocate for the appellant

Mr. Hamzakhan Pathan, Advocate for the respondent No.5

CORAM : KISHORE C. SANT, J.

DATE : 25th OCTOBER, 2024

P. C.

WITHDRAWAL

1. Heard the parties.
2. Though this court has not allowed the application for

withdrawal of the amount, because of the grounds raised in the appeal, however, it appears that in spite of attempts this court could not take up the appeal for final disposal. It is also not certain as to within short period the appeal itself can be taken up for final disposal.

3. Considering only this aspect, this court is inclined to allow the application partly. Hence, following order:

ORDER

a] The applicants are permitted to withdraw the amount of Rs.20 lakhs of the amount deposited by the insurance company-appellant in the office of this court on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial) of this court.

4. This court while allowing the application has not gone into the merits of the matter.

5. The parties shall make endeavour to dispose of the

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appeal at the earliest.

6. With this, the application stands disposed off.

APPEAL

1. List the appeal on 11-12-2024.

[KISHORE C. SANT, J.]

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