



This order is corrected as per the speaking to minute order dated 22.10.2024.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

971 CIVIL APPLICATION NO. 8515 OF 2024
IN FA/3847/2023

INDUBAI RAMDAS JOGDAND AND ANR
VERSUS
UNITED INDIA INSURANCE CO LTD THROUGH ITS BRANCH
MANAGER AND ANR

...
Advocate for Applicant : Mr. Dargad Swapnil Sunilkumar
Advocate for Respondent No.1 : Mr. Swapnil S. Rath
...

CORAM : KISHORE C. SANT, J.

DATE : 27th SEPTEMBER, 2024.

PER COURT :

1. Learned Advocate Mr. Dargad informs that applicant No. 2 namely Ramdas is dead, however, applicant No. 1, his wife, is the only legal representative and she is already on record.

2. Necessary amendment also be carried out in the

appeal and application.

3. Learned Advocate relies on the order of this Court dated 05.07.2022 passed in Civil Application No. 4430 of 2024 arising out of the same accident. In view of the same this Court is inclined to pass following order :

ORDER

(i) The Civil Application is partly allowed and disposed off.

(ii) The applicant is permitted to withdraw 50% of the amount deposited in this Court along with accrued interest on furnishing usual undertaking. Further 25% of the amount with interest is permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court. Balance amount shall be invested in the fixed deposit to be renewed from time to time, till disposal of the appeal.

(iii) In view of death of applicant No. 2 the entire amount be allowed to be withdrawn by applicant no. 1.

**(KISHORE C. SANT)
JUDGE**

mahajansb/