



IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

41 CIVIL APPLICATION NO. 10635 OF 2024  
IN FAST/12931/2024  
WITH  
CIVIL APPLICATION NO. 5073 OF 2024  
IN FAST/12931/2024  
WITH  
CIVIL APPLICATION NO. 5074 OF 2024  
IN FAST/12931/2024

ASARAM RAJARAM KAPURE  
VERSUS  
THE NEW INDIA ASSURANCE CO LTD THROUGH ITS BRANCH  
MANAGER AND ANR

...  
Advocate for Applicant : Mr. Pawankumarr Surykiren Agrawal  
Advocate for Respondent No.1 : Mr. M. R. Deshmukh  
...

CORAM : KISHORE C. SANT, J.  
DATE : 10.10.2024.

PER COURT :

WITHDRAW

1. Heard the parties. This application is for withdrawal of the amount deposited by the appellant insurance company in the office of this Court. The amount is Rs. 2,73,465/-. Considering the reasons that the amount is short amount, this Court is inclined to allow the application. The applicant is entitled to withdraw the entire amount deposited by the

insurance company along with accrued interest on furnishing usual undertaking. The Civil Application stands allowed and disposed off.

**DELAY**

1. This application is filed for condonation of delay of 162 days caused in filing the appeal.

2. For the reasons stated in the application, the application stands allowed. Delay stands condoned.

3. The application stands disposed off.

4. Office to register the First Appeal.

**STAY**

1. Since the amount is already deposited in the office of this Court, there shall stay to the execution and operation of the impugned judgment and award as prayer Clause (B).

2. The Civil Application stands disposed off.

**FIRST APPEAL**

1. Heard. Office to issue notice to the respondents, returnable on 19.12.2024.
2. Learned Advocate Mr. Agrawal waives service of notice for respondent No 1.
3. Call R & P.

( KISHORE C. SANT )  
JUDGE

mahajansb/