



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

902 CIVIL APPLICATION NO. 5610 OF 2024
IN FA/689/2021

ANNA SANDU MOKALE
VERSUS
THE DIVISIONAL MANAGER, H.D.F.C. ERGO GENERAL
INSURANCE CO. LTD., AURANGABAD AND ORS

...
Advocate for Applicant : Mr. Adv. R. R. Sancheti
Advocate for Respondents : Mr. M.R. Deshmukh
...

CORAM : KISHORE C. SANT, J.

DATE : 21st JUNE, 2024.

PER COURT :

1. This application is preferred for withdrawal of the amount deposited by the appellant Insurance Company in this Court.

2. Learned Advocate for the appellant/Insurance Company informs that the appellant has dispute on the ground of quantum of compensation and also on the ground that the driver was not having valid license at the time of accident. He further submits that on 10.06.2020 the Claimant has filed no

evidence pursis and on the same date the evidence of the Insurance Company was closed and the judgment was delivered. He submits that thus, there is a case made out for remand of the matter.

3. Considering this, prima-facie it would be proper to allow the application for withdrawal of only 50% amount deposited by the Insurance Company. Hence the following order is passed :

ORDER

- a) The application is allowed and disposed off.
- b) The applicant is entitled to withdraw 50% of the amount deposited in this Court alongwith accrued interest thereon by furnishing usual undertaking that in case the appeal is allowed, he shall re-deposit amount within 12 weeks thereafter.

**(KISHORE C. SANT)
JUDGE**

mahajansb/