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

**936 CIVIL APPLICATION NO. 9702 OF 2024
IN FAST/14929/2024**

AND

**CIVIL APPLICATION NO. 5598 OF 2024
IN FAST/14929/2024**

AND

**CIVIL APPLICATION NO. 5599 OF 2024
IN FAST/14929/2024**

**SHAKILABI HUSAIN ALIAS HUSAINALI MASULDAR AND
OTHERS**

....Applicants

VERSUS

**THE NATIONAL INSURANCE COMPANY LTD THROUGH ITS
BRANCH MANAGER AND ORS**

.....Respondents

Mr. N. D. Kendre, Advocate for the applicants
Mr. S. V. Kulkarni, Advocate for the respondent No.1

CORAM : KISHORE C. SANT, J.

DATE : 22nd NOVEMBER, 2024

P. C.

WITHDRAWAL

1. This application is for withdrawal of the amount.

2. The application is vehemently opposed by the learned advocate for the appellant.

3. Hence, the following order:

ORDER

a] The application is partly allowed.

b] The applicant Nos. 1, 5 and 6 are permitted to withdraw 50% of the amount of their share alongwith accrued interest on furnishing usual undertaking. Further 25% of the amount is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this court.

c] Remaining amount be kept in a fixed deposit in any nationalized bank to be renewed from time to time till final disposal of the appeal.

STAY

1. Since the amount is already deposited, there shall be stay to the impugned judgment and award till final disposal of the appeal.
2. The application stands disposed off.

DELAY

1. Heard.
2. Since the delay is only of 150 days caused in filing this the appeal, the application stands allowed. The delay stands condoned.
3. Office to register the appeal.

APPEAL

1. Heard.

(4)

936ca9702.24

2. Mr. Kendre, learned advocate waives service of notice for the respondent Nos. 1 to 6.

3. Call R & P.

4. Parties are put to notice that if time permits, this court may take up the matter for final disposal of the appeal at the stage of admission.

[KISHORE C. SANT, J.]

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