



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15466 OF 2023
IN RC/505/2020

Shaila Daulat Chaudhari And Ors

....Applicant

VERSUS

New India Assurance Co. Ltd., Thr Its Divisional Manager, Nashik And Anr
.....Respondent

.....

Mr. V. Y. Bhide, Advocate for Applicant

Mr. M. M. Ambhore, Advocate for Respondent No. 1

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CORAM : R.M. JOSHI, J

DATE : JANUARY 10, 2024

PER COURT :

1. This application is for withdrawal of amount deposited by the insurance company before this Court.

2. Learned Counsel for the Applicant/Original Respondents submit that the First Appeal No. 37508/2019 is already dismissed. The same is not restored on the file of this Court. Thus, no appeal is pending till date. Hence, there is no reason or justification not to permit the Applicants to withdraw the amount deposited by insurance company.

3. Learned Counsel for insurer/original Appellant records no objection for withdrawal of 75% amount along with accrued interest as per

proportion made by the Tribunal.

4. This Court finds substance in the contention of Applicants that no appeal is pending as on today and further having regard to the no objection recorded by the learned Counsel for the Insurance Company, application is partly allowed. Applicant/Original Respondents are permitted to withdraw 75% amount deposited along with accrued interest in proportion as per the order of Tribunal. Application is disposed of.

(R. M. JOSHI, J.)

Malani