



(1)

45-CA-12327-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

45 CIVIL APPLICATION NO. 12327 OF 2024
IN FA/1347/2024

Sonali Bibhishan Dhane And Others

VERSUS

Bajaj Alianz General Insurance Company Ltd And Anr

WITH

CIVIL APPLICATION NO. 5989 OF 2024
IN FA/1347/2024

...

Mr. Mahesh Kale Advocate for Applicant.

Mr. Mohit R. Deshmukh for Respondent No.2.

CORAM : KISHORE C. SANT, J.

DATE : 6th DECEMBER 2024

PC :-

1. Heard.
2. The application is opposed by the learned Advocate Mr.Deshmukh appearing for respondent - Insurance Company. He submits that the very involvement of the vehicle is doubtful. Income is also taken on higher side without sufficient record. Considering that, the following order:-

ORDER

- (i) Application is partly allowed.
- (ii) The applicant No. 1 and 3 are permitted to withdraw 50% of the amount of their share alongwith accrued interest on furnishing usual undertaking.
- (iii) Further 25% of the amount is allowed to be withdrawn along with accrued interest on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.
- (iv) The applicant No.2, who is minor, is at liberty to file application after attaining majority.
- (v) Remaining amount be kep in any fixed deposited in any nationalized bank pending the appeal.
- (vi) Application stands disposed off.

CIVIL APPLICATION FOR STAY

1. Since the amount is already deposited, the application for stay is allowed.
2. Application stands disposed off.

FIRST APPEAL

- . Call record and proceedings.

[KISHORE C. SANT, J.]

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