



(1)

87ca10536.24

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

87 CIVIL APPLICATION NO. 10536 OF 2024
IN FA/4740/2023

AND

CIVIL APPLICATION NO. 5253 OF 2024
IN X-APLST/3912/2024

AND

CIVIL APPLICATION NO. 5254 OF 2024
IN X-APLST/3912/2024

AND

CIVIL APPLICATION NO. 14284 OF 2023
IN FA/4740/2023

SMT YOGITA DURGADAS DESHMUKH AND OTHERS
....Applicants

VERSUS

NATIONAL INSURANCE CO LTD THROUGH ITS BRANCH
MANAGER

.....Respondents

Mr. A. H. Koralkar, Advocate for the applicants
Mr. S. R. Bodade, Advocate for respondent No.3

CORAM : KISHORE C. SANT, J.

DATE : 03rd OCTOBER, 2024

P. C.

DELAY

1. For the reasons stated in the applications, the delay

stands condoned. The applications stand allowed.

2. Office to register the appeals.

STAY

1. Since the amount as per the impugned judgment and award is deposited in this court alongwith interest, there shall be stay to the impugned judgment and award pending the appeals.

WITHDRAWAL

1. Heard the parties.
2. The applications are vehemently opposed by the learned advocate Mr. Bodade.
3. Considering the submission and prima-facie case this court is inclined to pass the following order:

ORDER

- a] The applications are allowed.

b] The applicants are permitted to withdraw 50% of the amount deposited in the office of this court alongwith accrued interest on furnishing usual undertaking. Remaining 25% of the amount is allowed to be withdrawn on furnishing solvent security/surety to the satisfaction of the learned Registrar (Judicial) of this court. Remaining amount be kept in fixed deposit in any nationalized bank to be renewed from time to time till disposal of the appeals. Amount be withdrawn in the same proportion as awarded by the leaned trial court.

c] The insurance company/appellants are at liberty to seek attachment of the offending vehicle with the help of RTO.

[KISHORE C. SANT, J.]