

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 9881 OF 2024
(FOR WITHDRAWAL)
WITH
FIRST APPEAL NO. 645 OF 2024
AND
INTERIM APPLICATION NO. 7421 OF 2024
(FOR STAY)**

Rajan Shantilal Shah Applicant

In the matter of

The ICICI Lombard General Insurance Company ... Appellant
Limited, Ahmadnagar through Divisional Manager

versus

Rajan Shantilal Shah and anr. Respondents

Mr. P. K. Bohade, Advocate for the Applicant/Respondent No.1.

Mr. Devendranath S. Joshi, Advocate for the Appellant.

CORAM : ARUN R. PEDNEKER, J.

DATE : 2nd AUGUST, 2024.

P.C. :

1. The present appeal is filed by the Insurance Company on the ground of non-involvement of vehicle. Investigation is conducted in the matter and charge-sheet is also filed against the driver of the offending vehicle.

2. In view of the same, the applicant is permitted to withdraw 50% of the amount which is deposited in the Tribunal along with accrued interest thereon till date on filing usual undertaking to the satisfaction of the Presiding Officer of the Tribunal. Interim Application No.9881 of 2024 is allowed and disposed of.

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3. At the request of the applicant, liberty is granted to the applicant to apply for further withdrawal in the event of any exigency.
4. The first appeal is admitted.
5. On admission, Mr. Bohade, learned counsel, waives notice for on behalf of the respondent No.1.
6. The stay to the impugned order, granted earlier, stands confirmed till the final disposal of the appeal. The Interim Application No.7421 of 2024 stands disposed of.

(ARUN R. PEDNEKER, J.)