



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**CIVIL APPLICATION NO.1387 OF 2023 IN
FIRST APPEAL (ST.) NO.14009 OF 2022**

(The Branch Manager, The Cholamandalam M.S. Ins. Co. Ltd. Vs. Abdul Hamid s/o Abdul Rajjak and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs. Mrunal Naik, Advocate for the appellant.
Mr. K.P. Mirache, Advocate for respondent No.1.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 9, 2024

By this application, the applicants who are the original respondents are seeking modification of the order dated 20/01/2023 by which respondent No.1 is allowed to withdraw 50% of the amount deposited on furnishing usual undertaking and surety to that extent.

2. Learned Counsel for the respondents submitted that the financial condition of respondent No.1 is weak and he is old aged person, therefore, unable to furnish the surety.

3. Considering the reasons mentioned in the application, the order is modified to that extent that respondent No.1 is permitted to withdraw the amount on undertaking that if appellant succeeds in the appeal he will deposit the entire amount along with the interest.

4. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)