



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 2153 OF 2025
IN FAST/14764/2024**

Sudakar Babu @ Balu Bandgar

.. Applicant

Versus

The Manager Shriram General Insurance
Co. Ltd. Through Its Branch Manager Authorized
Signatory And Another

.. Respondents

Mr. P. S. Chavan, Advocate for the Applicant.

Mr. Abhijit G. Choudhari, Advocate for the Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 28th FEBRUARY, 2025.

P. C. :-

. Heard both the sides.

2. This civil application is moved for modification of order dated 30.08.2024. This Court had allowed the application permitting the applicant/original claimant to withdraw 50% amount of compensation on furnishing an undertaking. Further 25% amount was permitted to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Registrar (Judicial) of this Court.

3. The applicant has again moved this application for modification of order dated 30.08.2024. He submits that, there is no property with the applicant to offer as a security. He thus prays for permitting

withdrawal of 25% of the amount on furnishing an undertaking.

4. This Court does not find any reason to allow the application permitting the applicant to withdraw further 25% amount merely on undertaking. However, looking to the contents the following order is passed.

ORDER

I. The order dated 30.08.2024 is modified and be read as :

(a) Application is allowed.

(b) Applicant, original claimant, is permitted to withdraw 50% amount of compensation on furnishing undertaking that if appeal is allowed he shall redeposit the amount along with interest within 12 weeks from such judgment in the office of this Court.

(c) Further 25% amount is permitted to be withdrawn on furnishing bank guarantee with the learned Registrar (Judicial) of this Court. The bank guarantee be kept alive till disposal of the appeal.

(d) Remaining amount be kept in fixed deposit in any nationalized bank till disposal of the appeal.

II. The civil application is thus partly allowed in above terms.

(KISHORE C. SANT, J.)

PS.B.