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968-FA-2773-2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

968 FIRST APPEAL NO. 2773 OF 2023
WITH
CIVIL APPLICATION NO. 9893 OF 2024 IN FA/2773/2023

ICICI LOMBARD GENERAL INSURANCE CO LTD
VERSUS
PRAKASH SIMON SHELKE AND ANR

...

Advocate for Appellant : Mr. R. H. Dahat
Advocate for Respondent No.1 : Ms. S. M. Zaware
Advocate for Respondent No.2 : Mr. Rohit Dhongade h/f. Mr. S. S. Kulkarni

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CORAM : PRAFULLA S. KHUBALKAR, J.
DATE : 25.04.2025

PER COURT :-

CIVIL APPLICATION NO. 9893 OF 2024 IN FA/2773/2023

1. Heard the learned counsel for the claimants and respondent-Insurance Company.
2. This is an application for withdrawal of amount which is deposited by the respondent-Insurance Company at the time of grant of interim relief. The claimants have sought for withdrawal of the entire amount. However learned counsel for the respondent-Insurance Company submits that instead of allowing the withdrawal, the appeal needs to be heard on merits

finally.

3. However, in view of reasons mentioned in the Civil Application, the original claimants are permitted to withdraw the 50% of the amount deposited by the Insurance Company subject to furnishing usual undertaking.

4. The Civil Application is disposed of.

5. The First Appeal may be listed for further consideration on 8th July 2025.

(PRAFULLA S. KHUBALKAR, J.)