



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

36 CIVIL APPLICATION NO. 971 OF 2025
IN FA/1587/2024
WITH
FA 1587 OF 2024

Shaikh Najim Shaikh Jabbar And Others

VERSUS

The Branch Manager Icici Lombard General Insurance Co Ltd.
And Ors

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Advocate for Applicant : Mr. Nirmal Ramchandra Jagdevrao

Advocate for Respondents : Mr. Mohit R. Deshmukh

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : January 28, 2025

PER COURT :-

1. It appears that the applicant/original claimant has moved the application for withdrawal of the amount.

2. Mr. Nirmal, learned counsel appearing for the applicant points out that in pursuance to the order dated 25.6.2024, liberty was granted to the applicant to move for withdrawal of the amount that was earmarked for fixing of the artificial limb. He submits that now he has incurred those expenses and that amount has been transferred to the supplier. Therefore, he seeks permission to withdraw the amount.

3. Learned counsel appearing for the respondent/insurance company submits that, in fact, the appeal is filed challenging involvement of the insured vehicle. Claimant has already

withdrawn Rs.25 Lakh. If further withdrawal is allowed, the appeal itself will become infructuous.

4. Perusal of the record shows that paper book is already received from the District Court. Both the parties have shown their willingness to argue the matter finally. Hence, post the First Appeal for final hearing at admission stage on 10.2.2025.

(S. G. CHAPALGAONKAR, J.)

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