

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 827 OF 2017
IN
FIRST APPEAL NO. 439 OF 2010**

Mr. Umesh Vitthal Kadam

...Applicant

Versus

The New India Assurance Co. Ltd. Through
M.R.O.-I

...Respondent

Mr. V. S. Kupawade i/b Mr. R. S. Alange for the applicant
None for the respondent

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th NOVEMBER, 2025.

P.C.

1. Heard learned counsel for the applicant. Learned counsel for the applicant submits that the appeal is already dismissed in default. It is not restored. He submits that the applicants are the claimants and they be permitted to withdraw the amount deposited by the respondent insurance company.

2. Considering the submissions of the learned counsel for the applicant, the application is allowed. The applicants be permitted to withdraw the amount deposited alongwith accrued interest thereon.

3. Application is allowed and disposed of.

(SHIVKUMAR DIGE, J.)

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