

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

1006 CIVIL APPLICATION NO. 10706 OF 2016
IN FA/1407/2015 WITH CA/6631/2015 IN FA/1407/2015

TAUSIF RASHID @ JABAR KHAN
VERSUS
BAJAJ ALLIANZ GENERAL INSURANCE CO. LTD. AND ANOTHER

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Advocate for Applicant : Mr. Temkar Rajendra K.
Mr. SS Dargad, Adv. h/for Mr.
S.G. Chapalgaonkar, Adv. For Resp.No.1.

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CORAM : P.R. BORA, J.
Dated: July 29, 2016

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PER COURT :-

1) Heard learned Counsel appearing for the parties.

2) Considering the contentions raised in the application for withdrawal of the amount and having regard to the grounds raised in the memo of appeal in exception to the impugned Award, I deem it appropriate to pass following order, -

i) The applicant is permitted to withdraw 50% of the amount deposited in this Court on submitting an undertaking that in case adverse

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order is passed against him in the appeal, he will re-deposit the said amount within four months of passing such order.

- ii) Balance 50% amount be invested in Fixed Deposit Receipt of any Nationalized Bank initially for a period of two years, to be renewed if it is found necessary, till decision of the appeal. CA for withdrawal of amount is disposed of.

3) In view of the fact that the appellant/insurance company has deposited the entire amount under the Award with interest accrued thereon, the interim stay granted earlier stands confirmed. CA for stay disposed of.

(P.R. BORA, J.)

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