

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

**CIVIL APPLICATION NO. 8656 OF 2015
IN
FIRST APPEAL NO. 1976 OF 2014**

Sachin Raju Chavan

... Applicant

VERSUS

The National Insurance Company Ltd. and Ors.

... Respondents

.....
Mr S. K. Shinde, Advocate for the applicant
Mr A. B. Kadethankar, Advocate for respondent No. 1
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : **21ST AUGUST, 2015.**

PER COURT:

. Prayer clause “B)” of the application cannot be considered as matter is not yet ripe for admission. As far as prayer clause “C)” of the application is concerned, the ld. Counsel states that the applicant is pursuing his study and requires amount for his further education. He has suffered permanent disability.

2. Mr Kadethankar, ld. counsel for Insurance Company states that earlier the said request was made but the Court had directed that the matter itself would be decided finally. According to the ld. Counsel, the

driver of the van was not possessing license and even he is charge-sheeted for the same.

3. I have considered the submissions. The respondents in Appeal, are not yet served. As such, the matter cannot be taken up for hearing unless they are served.

4. Considering the award passed, it would be appropriate to allow the applicant to withdraw 50% amount deposited. In light of that, I pass the following order.

ORDER

The applicant is allowed to withdraw 50% of the amount deposited on submitting an undertaking to this Court that in case the applicant is directed to deposit the amount, he will redeposit the amount within one month from the date of such order.

5. Civil Application accordingly disposed of.

[S. V. GANGAPURWALA, J.]