

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

CIVIL APPLICATION NO. 8907 OF 2015
IN
FIRST APPEAL NO. 874 OF 2015

Pralhad Shamrao Mutkule

Applicant..

VERSUS

Reliance General Insurance Co. Ltd.
Thr. Its Manager, Aurangabad & Anr.

Respondents..

.....
Mr Sachin S. Deshmukh, Advocate for the applicants
Mr S. G. Chapalgaonkar, Advocate for respondent No. 1
.....

CORAM : **S. V. GANGAPURWALA, J.**
DATE : 23RD OCTOBER, 2015.

PER COURT:

. This is an application for withdrawal of the amount.

2. Mr Deshmukh, learned Counsel for the applicant submits that, the award is passed in favour of the present applicant directing the Insurance company to pay first and recovery from the owner.

3. Mr Chapalgaonkar, learned Counsel for respondent No. 1 submits that, out of Rs. 5,35,000/- awarded by the Tribunal,

Rs. 3,35,000/- is directed to be kept in fixed deposit in any of the nationalized banks. He further submits that, it is case of passenger traveling in a goods vehicle, it is a case of breach of policy.

4. Considering the award passed, I pass the following order.

ORDER

- (i) The claimant is allowed to withdraw Rs. 2,50,000/- on furnishing solvent security / surety of the like amount.
- (ii) The remaining amount be kept in fixed deposit in any of the nationalized banks.

Civil Application accordingly stands disposed of.

[S. V. GANGAPURWALA, J.]

sgp