

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

CIVIL APPLICATION NO. 16492 OF 2015
IN FA/2076/2015

RUPALI SUSHIL FIRODIYA
VERSUS
RELIANCE GENERAL INSURANCE CO. LTD.

.....

Mr. P.V. Barde, Advocate, for the applicant.

*Mr. R.H. Dahat & Mr. S.S. Patil, Advocates, for
non-applicant no.1.*

.....

CORAM : A.M. BADAR, J.

DATE : 18TH DECEMBER 2015

PER COURT :

1. Heard the learned Counsel appearing for both the parties. Perused the impugned judgment and award. On account of injuries suffered to him, the claimant was awarded compensation of Rs. 4,39,900/-. This quantum is challenged by the Insurance Company in the instant appeal.

2. Perusal of the interim order dated 25th August 2015, passed in Civil Application No. 9877 of 2015 shows that the aspect of quantum was considered by this Court at least *prima facie* at the time of issuance of notice. The impugned award came to be stayed above Rs. 2,30,000/-.

3. Considering the interim order passed by this Court, the applicant / original claimant is permitted to withdraw Rs. 2,30,000/- from the amount of compensation deposited by the appellant in this Court, subject to furnishing personal undertaking that in the event she is directed to refund that amount, she shall refund the same within a period of one month.

4. The Civil Application is disposed of in the above terms.

(A.M. BADAR)
JUDGE

.....