

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4279 OF 2015
IN
FIRST APPEAL NO.609 OF 2014

Faijaj Abdulsattar Bagwan	... Applicant
<i>In the matter between</i>	
The Oriental Insurance Co. Ltd.	... Appellant
vs.	
Faijaj Abdulsattar Bagwan	... Respondent

Mr. Ashok Tajane, for the Applicant
Mr. D.S. Joshi, for the original Appellant.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **21st DECEMBER, 2015**

P.C.:

. This Civil Application is moved for withdrawal of the 50% amount of the award alongwith the interest accrued thereon. The learned counsel for the Applicant submits that earlier this Court by its order dated 30th September, 2013 has allowed the withdrawal of the amount subject to security to the satisfaction of the Tribunal.

2. The learned counsel for the Applicant submits that the Applicant is 75% disabled person as his leg is amputated and therefore security for 100% is not possible and hence he has moved this application at this stage for 50% withdrawal of the amount.

3. The learned counsel for the Insurance Company opposes the application and submits that earlier the Court after hearing both the parties, passed the order of withdrawal subject to security.

4. Considering the above submissions and after going through the application and order passed earlier, the Applicant is allowed to withdraw 50% of the total amount of compensation along with the interest accrued on the 50% amount subject to furnishing usual undertaking before the Registrar of the Tribunal.

(MRS.MRIDULA BHATKAR, J.)