

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION (CAF) NO. 687 OF 2015
IN
FIRST APPEAL NO. 1238 OF 2013

Divisional Manager United India Insurance Vs. Deepak Gulabrao Gajbhiye & Ano.

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Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri A. J. Pophaly Adv for appellant.
Shri Ajghar Hussain Adv for respondent no. 1.

CORAM: A. S. CHANDURKAR J.

DATED: 08 APRIL, 2015.

Application is moved by the respondent no.1 seeking permission to withdraw the amount of compensation deposited by the appellant. It is stated that respondent no.1 has suffered disability to the extent of 11%. The application is opposed by learned counsel for the appellant on the ground that the offending vehicle was being plied without permit. Considering the fact that the claim was made under the provisions of Section 163(A) of the Motor Vehicles Act, the respondent no.1 is permitted to withdraw amount of Rs. 2,25,308/- subject to furnishing undertaking that in case the appeal is allowed the entire amount would be repaid with interest at such rate the Court may direct. Civil application disposed of.

JUDGE

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