

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 272 OF 2016
(for withdrawal of amount)

IN

FIRST APPEAL NO. 122 OF 2016

Anil Kishan Ghadge

....Applicant

IN THE MATTER BETWEEN :-

IFFCO Tokyo General Insurance
Co. Ltd.

....Appellant

V/S.

Mr. Anil Kisan Ghadge and Ors.

....Respondents

* * * * *

Ms. Varsha Chavan, Advocate for the appellant.

Mr. Vaibhav Gaikwad, Advocate for applicant.

Mr. Rupesh Zade h/f. Mr. Shailesh Chavan, Advocate for respondent
no.3.

Coram :- Smt. R.P. SondurBaldota, J.

18th April, 2016.

P.C. :-

1). This Civil Application is for withdrawal of the amount deposited by the appellant, Insurance Company towards the compensation awarded by the Motor Accidents Claim Tribunal. Since there is serious dispute

raised as regards the quantum of the compensation awarded, in my opinion, the interest of justice would be served if the applicant is permitted to withdraw a sum of Rs.7,00,000/- from the deposit of Rs 11,74,456/-. The Civil Application is therefore disposed off with liberty to the applicant to withdraw a sum of Rs.7,00,000/- from the deposit made by the appellant with the Tribunal. The applicant shall file an Undertaking in writing that, he shall bring back the amount to the Court, in the event the appeal is allowed.

(SMT. R.P. SONDURBALDOTA, J)