

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3629 OF 2016
IN
FIRST APPEAL NO.1191 OF 2012

Shri. Ehsanul Haque Samsul Arheen
Shaikh

.... Applicant.

V/s.

The Oriental Insurance Co. Ltd.

.... Respondent

Mr. Avinash M. Gokhale, for the Applicant.

Mr. Devendranath S.Joshi, for the Respondent.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 24TH AUGUST, 2016.

P.C. :

1. This application is preferred by original claimant seeking withdrawal of compensation amount as deposited by the Insurance Company, in the Tribunal. It is submitted that applicant has incurred expenses for his medical treatment of the injuries caused to him in the accident and he requires some money. An amount of Rs.2,04,318/-is already deposited in the Tribunal by the insurance company.

2. It is submitted by learned counsel for insurance company that the alleged accident has taken place in the year 2006 and applicant is claiming compensation for the same in the year 2010, therefore, insurance company has challenged the award. Considering this fact, the

applicant cannot be permitted to withdraw entire mount. However, at this stage, applicant is permitted to withdraw 50% of the amount subject to furnishing usual undertaking.

3. Application is disposed of accordingly.

[DR. SHALINI PHANSALKAR-JOSHI, J.]