

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (O) NO.1588 OF 2016
IN
CIVIL APPLICATION (F) NO.2262 OF 2014
NATIONAL INSURANCE CO. LTD.
VS
MADHUKAR S/O TIMAJI BAWANTHADE AND ANOTHER

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

Court's or Judge's orders

Shri H. N. Mirache, Advocate for the appellant.
Miss. Monali H. Pathade, Advocate for the respondent No.1.

CORAM : A.S. CHANDURKAR, J.
DATED : MAY 05, 2016.

The claimant seeks permission to withdraw the amount of compensation deposited by the appellant.

The application is opposed by the learned Counsel for the appellant on the ground that the claimant was not entitled for grant of compensation as he was not a third party when the accident took place.

Perused the judgment of the Claims Tribunal.

Considering the findings recorded therein and the averments made in the application, the claimant is permitted to withdraw an amount of Rs.2,00,000/- subject to filing an undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Remaining amount be invested in fixed deposit.
Civil application is allowed.

JUDGE