

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.2187 OF 2013
IN
FIRST APPEAL ST. NO.19111 OF 2012

The Oriental Insurance Co. Ltd. Thr. Divisional Manager, Badnera Road, Amravati.

-vs-

Vinod s/o Devidas Bhusari and ors.

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

Court's or Judge's Orders.

Shri S. N. Dhanagare, Advocate for appellant.

Shri P. R. Agrawal, Advocate for respondent No.1/applicant.

CORAM : A.S.CHANDURKAR, J.

DATE : May 03, 2016

Prayer is to permit the claimant to withdraw the amount of compensation awarded by the Claims Tribunal. The application is opposed by the learned counsel for the appellant on the ground that the claim under Section 163A of the Motor Vehicles Act, 1988 cannot be granted.

Prima facie, considering the finding that the injury has been suffered on account of use of motor vehicle, the claimant is permitted to withdraw an amount of Rs.80,000/- subject to filing undertaking that in case the appeal is allowed, said amount shall be repaid with interest at such rate the Court may direct. Remaining amount shall be invested in Fixed Deposit.

Civil application is allowed and disposed of.

JUDGE