

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

CIVIL APPLICATION (CAF) NO.3272 OF 2016

IN

FIRST APPEAL NO.99 OF 2016

(The New India Assurance Company Ltd., Nagpur ..vs.. Gajanan s/o Dnyandeorao Bajad 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 M.B. Joshi, Advocate for the appellant,
Shri S.D. Chopde, Advocate for the respondent No.1.

CORAM : Z.A. HAQ, J.

DATED : 07-10-2016

This application is filed by father of the respondent No.1 seeking permission to withdraw the amount deposited by the appellant/Insurance Company.

The case of the appellant/Insurance Company is that the Tribunal has granted exorbitant amount of compensation, that the material on record is not sufficient to conclude that the respondent No.1 has suffered 90% disability as certified by the doctor or 100% disability as concluded by the Tribunal.

After examining the material on record, in my view, Rs.20,00,000/- (Rs. Twenty Lakhs Only) can be permitted to be withdrawn on behalf of the claimant. The balance amount be continued in fixed deposit, until further orders.

In future, on production of medical documents

supported by affidavit, the respondent No.1-claimant can be permitted to withdraw interest that may accrue on the amount kept in fixed deposit.

The civil application is allowed in the above terms.

JUDGE

adgokar

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed Order.

Uploaded by : P.M. Adgokar.

Uploaded on : 10-10-2016.

P.A. to Hon'ble Judge.