

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

932 CIVIL APPLICATION NO. 10189 OF 2017
IN FAST/1090/2017

GANPAT DATTU KAMBLE
VERSUS

THE BR. MANAGER ORIENTAL INSURANCE COMPANY LTD, AND ORS

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Advocate for Applicant : Mr. Ram S. Shinde
Advocate for Respondent No.1 : Mr. U. S. Malte

CORAM : K. L. WADANE, J.

DATE : 11th August, 2017

ORDER:

1. Heard learned counsel for the applicant as well as learned counsel for the respondent Insurance company.

2. This is an application for withdrawal of the amount of compensation of Rs.7,41,380/- deposited by the insurance company in this Court.

3. The learned counsel appearing for the respondent insurance company submits that the compensation awarded to the claimant is excessive and at higher side. Permanently disability is only to the extent of 28%. In addition to that, the learned tribunal has granted compensation of Rs.2 lakhs on account of general damages. Mr. Malte the learned counsel further submits that vehicle was on the road without permit.

4. In view of the above, at least 50% of the amount deposited in the court can be permitted to withdrawn.

5. The applicant is allowed to withdraw 50% of the amount deposited in this Court. Civil Application disposed of.

(K. L. WADANE, J.)

JPC