

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

CIVIL APPLICATION NO. 15058 OF 2017
IN FAST/16657/2017

POONAM RAJABHAU UMAP
VERSUS
THE NEW INDIA ASSURANCE CO. LTD THR ITS DIV.
MANAGER, AURANGABAD

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Advocate for Applicant : Mr. Pande Shashikant R.
Mr. D.P.Despande For Respondent

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CORAM : K.L.WADANE, J.

DATED : 15th December, 2017

O R D E R :

Heard learned counsel for both sides.

2. This is an application for withdrawal of amount of compensation deposited in this Court.

3. Learned counsel appearing for the insurance company opposes the application on the ground that insurance company has presented the appeal on various grounds, amongst the main two grounds, contributory negligence and quantum of compensation.

4. I have gone through the reasons recorded by the learned Tribunal. It is submitted by the applicant that huge amount was incurred by the

applicant for medical treatment. Hence, at least 60 per cent amount of total amount of compensation deposited by the insurance company can be paid to the applicant.

5. Hence, Civil Application is allowed. The applicant is permitted to withdraw 60 per cent amount of total compensation together with accrued interest.

6. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm