

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

CIVIL APPLICATION NO. 12413 OF 2017

**IN
FAST 25564/2017**

Hanumant Wamanrao Pokharkar ...Applicant

VERSUS

Div. Manager,
Shriram General Insurance
Co. Ltd. & anr. ... Respondents

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Mr. Mr. K.B.Jadhav, adv. h/f Mr. A.S.Usmanpurkar,
advocate for the applicant

Mr. V.N.Upadhye, advocate, for respondent no.1

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CORAM : K.L.WADANE, J.

DATED : 3rd October, 2017

O R D E R :

This is an application for withdrawal of amount of compensation deposited before the trial Court.

2. Learned counsel appearing for the respondent/appellant opposes application on the ground that there was only 20 per cent disability caused to the applicant. Further more, the appellant Insurance Company has wrongly deposited excess amount of compensation than ordered by the

learned trial Court.

3. In view of submissions advanced by both the sides, I am of the opinion that at this stage the applicant can be permitted to withdraw 50 per cent amount of compensation.

4. Hence, Civil Application is allowed. The applicant/claimant is permitted to withdraw 50 per cent amount of compensation. The Trial Court to verify whether the Insurance Company has deposited the excess amount than ordered by the Court below and if found to be deposited in excess the insurance company be permitted to withdraw that much amount.

5. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm