

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1875 OF 2017
IN
FIRST APPEAL NO. 556 OF 2017**

Bharat Kisan Jagdale

...Applicant

Versus

The National Insurance Company Ltd. & Anr.

...Respondents

.....

Mr.R.M.Haridas for the Applicant.

Ms. Poonam Mital for the Respondent and original Appellant in FA No. 556 of 2017.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: AUGUST 24, 2017**

P.C. :

1. This Civil Application is moved by the original claimant i.e. the applicant for withdrawal of the amount of compensation which was awarded by the learned Member, Motor Accident Claims Tribunal, Satara by order dated 09.03.2016 for injuries sustained to the applicant in the accident.
2. Learned counsel for the insurance Company submits that the insurance Company has deposited the entire decretal amount alongwith interest accrued thereon i.e. Rs. 3,48,386/-.

3. Learned counsel for the applicant submits that the challenge is in respect of the quantum. However, till today, the applicant has not withdrawn any amount in respect of no fault liability. He further submits that the accident took place on 04.08.2011.

4. In view of the above submissions, the applicant/original claimant is allowed to withdraw an amount of Rs. 2,25,000/- on executing a personal bond with the Registry of the Motor Accident Claims Tribunal, Satara. The remaining amount shall be deposited in a fixed deposit with any nationalised Bank till the disposal of the appeal.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)