

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3439 OF 2017
IN
FIRST APPEAL ST. NO.26452 OF 2015

Nivrutti Murlidhar Jagtap ... Applicant

IN THE MATTER OF:

The New India Assurance Co. Ltd. .. Appellant

Vs.

Nivrutti Murlidhar Jagtap ... Respondent

Mr.D.S. Pagare i/b Rohit Joshi for the Applicant/Appellant

Mr.D.S. Joshi h/f S.S. Jinsiwale for Appellant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **NOVEMBER 1, 2017**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. This Civil Application is moved for withdrawn of the amount of compensation granted by the Motor Accident Claims Tribunal, Nasik. The learned Counsel for the applicant submits that this is an injury claim and the learned Member, Motor Accident Claims Tribunal, Nasik by order dated 2.5.2015 has granted compensation of Rs.3,60,686/-. However, till today, the applicant has not received any amount except the amount under No Faulty Liability. It is submitted that the applicant needs money for treatment.

3. Learned Counsel appearing for the Insurance Company submits that the Tribunal of the offending vehicle was driving the vehicle without licence and the appellant has a good case on merits.
4. In view of the submissions made by the learned Counsel for the parties, the application is allowed. The applicant is allowed to withdraw a sum of Rs.2 lakhs with interest accrued thereon.
5. Civil Application stands disposed of as such.

(MRIDULA BHATKAR, J.)