

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

CIVIL APPLICATION NO. 465 OF 2017
IN
FIRST APPEAL NO. 651 OF 2016

United India Insurance Co.Ltd.,
through Divisional Manager,
Office at Badnera Road, Amravati

.. Applicant

Versus

Kishor s/o Narisa Pachgade and ors.

.. Respondents

Mr P.R. Agrawal, Advocate for claimant
Mr D.N. Kukday, Advocate for appellant-Insurance Company

CORAM : N.W. SAMBRE, J.

DATE : 11th April 2017

PER COURT

1. This application is for withdrawal of the amount deposited by the appellant – Insurance Company towards the compensation.
2. By order dated 3rd May 2016, this Court permitted the claimant to withdraw amount of Rs.20,00,000/- and were granted liberty to apply for further withdrawal of compensation. As such, present application.
3. From the record, it appears that in view of permanent disability suffered by the respondent no.1-claimant to the extent of 100% in the accident in question, which was caused for filing of claim petition, the compensation amount of Rs.61, 26,009/- was deposited.
4. The claimant was also permitted to withdraw Rs.20,000/-.

5. The claimant has now come out with the case that he is required to spend amount in the marriage of his daughter and as such he is in dire need of money and has placed on record the photocopy of the marriage card depicting that his daughter got married on 23rd December 2016.

6. In the above referred background, in my opinion, it will be appropriate to allow the present applicant-claimant to withdraw amount of Rs.10,00,000/- (Rs. Ten lacs). The application stands allowed in above terms.

7. So far as service of notice on respondents no.2 and 3 is concerned, if no steps are taken within a period of two weeks from today, the appeal shall stand dismissed against the said respondents without further reference to the Court, as chance is already granted to the appellant.

(N.W. SAMBRE, J.)

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