

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

**CIVIL APPLICATION NO. 14142 OF 2018
IN
FIRST APPEAL (ST.) NO. 33847 OF 2017**

Chaya Ganraj Rathod.

Applicant.

Versus

Kalyan Raising Rathod and ors.

Respondents.

Mr. H.A. Patankar, Advocate for the applicant.

Mr. S.G. Chapalgaonkar, Advocate for respondent No.5.

CORAM : SUNIL K. KOTWAL,J.

Dated : 27th November 2018.

ORDER :-

. The original respondent No.4 filed this application for withdrawal of compensation amount deposited in this Court by Insurance Company. Learned Counsel for Insurance Company submits that the award is challenged on the ground that on the date of accident the driver of offending vehicle did not hold effective and valid driving licence.

2. After going through the award passed by the Tribunal, it emerges that an amount Rs. 5,00,000/- is awarded to the present applicant. Considering such award, permission is granted to the applicant (original respondent No.4) to withdraw an amount of Rs. 2,00,000/- out of the deposited compensation amount with proportionate interest thereon, subject to filing of written undertaking in this Court within eight weeks, for depositing the withdrawn amount as and when directed by this Court.

3. Registrar (Judicial) to act accordingly.

4. Civil Application is disposed of accordingly.

(SUNIL K. KOTWAL)
JUDGE

vdd/