

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

CIVIL APPLICATION NO. 3336 OF 2018
IN
FIRST APPEAL NO. 4462 OF 2015

Dhiraj s/o Suraj Deddera .. Applicant

versus

Reliance General Insurance
Company Limited .. Respondent

Mr. Dattatray R. Markad, Advocate for applicant

Mr. S. S. Patil, Advocate for respondent

CORAM : SUNIL P. DESHMUKH, J.

DATE : 9th April, 2018

ORDER :

1. Heard learned counsel for parties.
2. Learned counsel for applicant submits entire amount of Rs.13,41,950 under the award has been deposited by appellant-insurance company in this court on 13-02-2017. Applicant, being permanently disabled has not been able to do any work. There is no source of income for him. Apart from that, he has to take frequent medical treatment which is expensive and had to borrow money from relatives and friends for the same and as such he is in dire need of the amount.
3. Learned counsel for appellant – insurance company, however, submits that requirements as are now being referred to are not supported by any material. In the circumstances, he submits that the request being made under application may not be indulged into.

4. However, looking at that there is no dispute about applicant having suffered permanent disability and that he has to bear responsibility of the family and further that his children are taking education and some medical expenses are to be borne, it would be expedient that the applicant be allowed to withdraw half of the amount deposited in this court with interest accrued thereon on undertaking that in case decision in the first appeal goes adverse to his interest, he would pay back / deposit the amount being withdrawn under this order within a period of three months from the date of decision in the appeal.

5. Civil application is accordingly disposed of .

SUNIL P. DESHMUKH,
JUDGE

pnd