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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 441 OF 2018
IN
FIRST APPEAL (ST.) No. 27048 OF 2017

Jitendra Damodar Patil, through his
next friend & father Damodar N. Patil ... Applicant

Vs.

The Municipal Corporation of Greater
Mumbai, through General Manager ... Respondent

Mr. S.S. Vidyarthi, Advocate for the applicant.

Ms. Swati Sawant i/b. S.K. Legal Associates, Advocate for the
respondent/original appellant.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 1st February, 2018.

P.C.:

Upon mentioning, taken on production board.

2. This Application is moved for withdrawal of amount of compensation, which was deposited by the respondent/original appellant pursuant to the judgment and award dated 4th February, 2017 passed by the learned Chairman, Motor Accident Claims Tribunal, Mumbai in M.A.C.P. No. 2074 of 2013.

3. The learned counsel for the applicant submitted that the applicant is injured and he is bedridden due to accident. The

traumatic brain injury resulted in loss of speech and loss of control over bladder and bowel. The learned counsel submitted that the applicant needs money, hence he be allowed to withdraw the amount of compensation.

4. The learned counsel for the respondent/original appellant submitted that the defence is taken on the point of quantum.

5. In view of the submissions, the applicant is allowed to withdraw Rs.7,00,000/- along with the interest accrued thereon on an usual undertaking.

6. Civil Application is also accordingly disposed of.

(MRIDULA BHATKAR, J.)