

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 2142 OF 2018
IN
FIRST APPEAL (ST.) NO. 33516 OF 2015**

Bhushan Suresh Kanade ... Applicant

In the matter between :-

HDFC ERGO General Insurance Co. Ltd. ... Appellant

V/s.

Bhushan Suresh Kanade & Ors. ... Respondents

- Mr.Rajure Vishwanath Babuappa for Applicant/Respondent No.1.
- Mr.Abhijit P. Kulkarni for the Appellant-Insurance Company.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 6th OCTOBER, 2018.

P.C. :

1] Heard learned counsel for the Applicant/Respondent No.1 and learned counsel for the Appellant-Insurance Company.

2] This is an application filed by the Applicant-Claimant for withdrawal of 50% amount of compensation deposited in the Court. The Appeal is preferred by the Insurance Company on the point of quantum of the compensation and also on the point of negligence.

3] However, considering the requirements of the Applicant-Claimant, he is permitted to withdraw 50% amount of compensation, deposited with the Tribunal, subject to furnishing of usual undertaking.

4] The Civil Application is disposed of in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]