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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3633 OF 2018
IN
FIRST APPEAL NO.15 OF 2017.**

Machindr Bhaguji Bhorde	...	Applicant
Reliance General Insurance Co.Ltd	...	Appellant.
V/s.		
Machindr Bhaguji Bhorde and anr	...	Respondents

Mr. Rahul S.Kate, for applicant.
Mrs. Shalini Shankar, for the applicant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 11th OCTOBER, 2018.

P.C. :

- 1] Heard learned counsel for the claimant and learned counsel for appellant Insurance Company and respondent.
- 2] This Application is filed by claimant seeking withdrawal of the entire amount of compensation as deposited by the Insurance Co.
- 3] Learned counsel for appellant insurance company submits that the case of the appellant is that there was contributory negligence on the part of claimant and claim awarded is without there being any evidence. In view thereof, the applicant is permitted to withdraw 30% of the amount of compensation subject to furnishing usual undertaking.
- 4] Application is disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]