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

**CIVIL APPLICATION NO.2203 OF 2017
IN
FIRST APPEAL (ST) NO.12196 OF 2015.**

Kundan Vinod Patil ... Applicant

In the matter between

The New India Assurance Co.Ltd ... Appellant.

V/s.

Kundan Vinod Patil and anr ... Respondents

Mr. Sanjay A. Ghaisas, for applicant

Mr. Devendranath S. Joshi, for the appellant

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 6th SEPTEMBER, 2018.

P.C. :

1] Heard learned counsel for the applicant and appellant.

2] This application is for withdrawal amount of compensation. It is pointed out that total amount deposited by the appellant Insurance Company is Rs.9,60,960/-, out of that claimant has already withdrawn an amount of Rs.3,00,000/- as per order passed by this Court on 30.4.2015.

3] Considering that the appeal is filed on the ground of statutory defence available to the Insurance Company and also on the

ground whether the amount awarded by the Tribunal is excessive, the claimant is permitted to withdraw an amount of Rs.2,00,000/- at this stage considering the requirement of claimant for his marriage, subject to usual undertaking.

4] Application is disposed off accordingly.

[DR.SHALINI PHANSALKAR-JOSHI, J.]