

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 2938 OF 2017
IN
FIRST APPEAL NO. 386 OF 2016**

Shri.Mohsinkhan Sherjamankhan Pathan,
Thru.his Father and next friend Shri Sherjamankhan
Pathan ...Applicant

IN THE MATTER BETWEEN

IFFCO TOKIO General Insurance Co.Ltd. ...Appellant

Versus

Shri.Mohsinkhan Sherjamankhan Pathan,
Thru.his Father and next friend Shri Sherjamankhan
Pathan ...Respondent

.....

Mr. S. S. Vidyarthi for the Applicant.
Mr. Abhijit P. Kulkarni for the original appellant in First Appeal.

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CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **FEBRUARY 07, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.

2. This Civil Application is filed for further withdrawal of the amount of compensation.

3. In Civil Application No. 3873 of 2016, this Court by order dated 27.09.2016 has given permission to the applicant to withdraw 30% of the total amount deposited by the Insurance Company and thus, the applicant withdrew the amount of Rs. 34,00,000/-. In view of the break up mentioned in para 24 of the judgment and award, I am of the view that at this stage, the amount which has already been withdrawn by the applicant as on today, is an adequate amount towards medical and other expenses.

4. Civil Application is disposed of.

5. Place this First Appeal for final hearing on 4th June, 2018.

(MRIDULA BHATKAR, J.)