

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3703 OF 2017
IN
FIRST APPEAL st. NO.26173 OF 2016

Shri Mehul Vinod Bhansali

... Applicant

IN THE MATTER OF:

Reliance General Insurance Co. Ltd.

... Appellant

Vs.

Shri Mehul Vinod Bhansali & anr.

... Respondents

Mr.V.B. Tapkir for the Applicant
Ms.Shalini Shankar for appellant in FA

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: JANUARY 16, 2018

P.C.:

1. This is an application for withdrawal of the amount of compensation deposited by the appellant. The learned Member, Motor Accident Claims Tribunal, Pune, by his judgment dated 9.3.2016 passed in MACP No.1065 of 2009 has granted a compensation of Rs.26,05,370/- alongwith interest @ 8% p.a.

2. The learned Counsel for the applicant submits that it is an injury claim. Till today, except the amount of NFL, the applicant has not received any amount. He submits that the applicant was badly injured due to the accident. He has sustained a permanent disability

of 75%. Multiple surgeries were performed on his head, right thigh and right leg. He also lost an opportunity of a training programme at Germany. He has submitted the medical bills of Rs.11,37,048/-.

3. Per contra, the learned Counsel for the insurance company has submitted that the challenge is on the point of quantum and the appellant has a good case on merits.

4. Considering the submissions and for the reasons stated in the Civil Application, the applicant is allowed to withdraw Rs.15 lakhs alongwith interest accrued thereon. Further, the parties are directed to consider to settle the matter amicably.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)