

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.88 OF 2018
IN
FIRST APPEAL NO.1194 OF 2017

Shri Harishchandra Sakharam Adit ... Applicant

IN THE MATTER OF:

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

Vs.

Shri Harishchandra Sakharam Adit & anr. ... Respondents

Mr.C.M. Lokeshappa for the Applicant
Ms.Poonam Mittal h/f D.R. Mahadik for Appellant/insurance co.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JANUARY 11, 2018**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This application is moved by the applicant/claimant for withdrawal of the amount deposited by the appellant / insurance company, pursuant to the judgment and award dated 8.7.2013 of the Motor Accident Claims Tribunal, Mangaon, Raigad in M.A.C.P. No.1276 of 2008.
3. The leaned Counsel for the applicant submitted that the applicant met with the accident and he is in need of money for

medical treatment. He further submitted that the applicant did not receive any amount till today.

4. Learned Counsel for the insurance company is present and has opposed the application.

5. In view of the submissions and for the reasons mentioned in the application, the applicant is allowed to withdraw 50% of the amount of the compensation upon furnishing the usual undertaking to the satisfaction of the Registrar of the concerned Motor Accident Claims Tribunal. The remaining amount shall be deposited in a fixed deposit of any nationalised bank.

6. Civil Application is allowed and disposed of accordingly.

7. All concerned to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)