

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

CIVIL APPLICATION NO. 3929 OF 2019

IN

FIRST APPEAL (ST.) NO. 22178 OF 2018

Ashok Mahadeo Markad.

Applicant.

Versus

New India Assurance Co.Ltd. & anr.

Respondents.

Mr. N.S. Kadarale, Advocate holding for

Mr. M.M. Patil (Beedkar), Advocate for the applicant.

Mr. M.R. Deshmukh, Advocate for respondent No.1.

CORAM : SUNIL K. KOTWAL, J.

Dated : 18 March 2019.

ORDER :-

. Heard learned Counsel for both parties. I have gone through the award passed by the Tribunal, specifically its observations regarding functional disability.

2. Learned Counsel for the Insurance Company, though vehemently objected this withdrawal application, considering the reasons assigned by the Tribunal, I feel it desirable to allow the applicant to withdraw 50% amount of compensation deposited in this Court by the Insurance Company with proportionate accrued

interest thereon subject to filing of written undertaking to redeposit the withdrawn amount as and when directed by this Court. The undertaking shall be filed within 8 weeks from the date of passing of this order. Remaining compensation amount shall be invested in fixed deposit in any Nationalized Bank till final disposal of the appeal.

3. Civil Application is disposed of.

(SUNIL K. KOTWAL)
JUDGE

vdd/