

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

**29 CIVIL APPLICATION NO.4461 OF 2019
IN FAST/37887/2018**

**PRASHANT RAMRAO CHAVAN AND ORS
VERSUS
SHRIRAM GENERAL INSURANCE CO. LTD., THR ITS MANAGER,
AURANGABAD**

...
Advocate for Applicant : Mr. S. V. Kulkarni
Advocate for Respondent No. 1 : Mr. S. G. Chapalgaonkar
Advocate for Respondent Nos. 2 and 3 : Mr. Pradhan Laxman K. And
M. B. Ubale

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CORAM : SUNIL. K. KOTWAL,J.

DATE : 01st April, 2019

PER COURT:

1. This application is filed by the claimant for withdrawal of the compensation amount deposited in the Court.
2. Heard learned counsel for applicant and learned counsel for Respondent No. 1 - insurance company.
3. I have gone through the award. Learned counsel for insurance company submits that there was no lose of earning capacity of the injured and even then the tribunal awarded exorbitant compensation. After going through the Judgment, I notice certain

infirmities regarding the determination of quantum of compensation. However, at this stage, I refrain from expressing anything on merits. Considering the facts and situation of this case and award passed by the Tribunal, permission is granted to the claimant to withdraw 50% of the compensation amount subject to filing of solvent security for the said amount to the satisfaction of Registrar (Judl). The security shall furnish within two weeks from the date of passing of this order. Remaining balance compensation amount shall be invested in fixed deposit in any nationalized bank till final disposal of the appeal. Civil Application is disposed of.

(SUNIL K. KOTWAL, J.)