

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

907 CIVIL APPLICATION NO.6405 OF 2019
IN FA/793/2015

SAMEER DILAWAR SHAIKH
VERSUS
NEW INDIA ASSURANCE CO. LTD. THR ITS BRANCH MANAGER AND
ANR

...
Advocate for Applicant : Mr.Bedre Vinayak Sudhakar
Advocate for Respondent No.1 : Mr.D.P.Deshpande
...

CORAM : SUNIL K.KOTWAL, J.

DATE : 04th June, 2019

O R D E R :

This application is for withdrawal of compensation of amount deposited by the Insurance Company in the Court.

2. Heard learned counsel for Original Claimant and learned counsel for insurer of the offending vehicle.

3. With the help of both learned counsel, I have gone through the judgment and award passed by the Tribunal. From the Judgment and award, it emerges that claimant sustained only blunt trauma on his abdomen and

forearm, however, the Tribunal awarded compensation of Rs. 1,98,700/-. Considering the nature of injuries and the compensation awarded by the Tribunal, it is desirable to allow the applicant to withdraw only 25% amount of compensation out of deposited amount, subject to the condition that applicant shall file written undertaking in the First Appeal to redeposit the withdrawn amount as and when directed by this Court. Undertaking be filed within period of four weeks from the date of passing of this order.

4. Civil Application No. 6405 of 2019 in First Appeal No. 793 of 2015 is disposed of.

[SUNIL K.KOTWAL, J.]

mahajansb/