

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

**965 CIVIL APPLICATION NO.6610 OF 2019
IN FAST/10963/2019**

**BHAUSAHEB HILAL PAWAR
VERSUS
VIRU SHRIHARIRAM RAJBHAR AND ORS**

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Advocate for Applicant : Mr. Pawar Ajay D.
Advocate for Respondent No.3 : Mr. A.S. Usmanpurkar

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 28th JUNE 2019

ORDER :

1. Present application has been filed for withdrawal of the amount. The Insurance Company has deposited amount of Rs.11,64,120/-. The appeal has been filed on the ground that the consideration for grant of future medical expenses is based on wrong principles. So also, the notional income in the year 2012 has been taken as at the rate of Rs.6000/- per month.

2. Taking into consideration the fact that the appeal has been mainly filed in order to challenge the quantum, it is also required to be borne in mind that the interest of the appellant is also required to be considered. Under such circumstance, the applicant is allowed to

withdraw amount of Rs.6,00,000/- by submitting an undertaking within a period of eight weeks that he would make the said amount good, if directed at the time of final disposal of the appeal.

3. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/