

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 694 OF 2019

IN

FIRST APPEAL NO. 135 OF 2018

ANTONIO FRANCISCO GOMES., ... Applicant

Versus

BAJAJ ALLAINZ GENERAL INSURANCE
CO. LTD., ... Respondent

Adv. Shailesh Redkar for the Applicant.
Adv. A. Godinho for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 26th July, 2019

P.C.:

Heard the learned counsel for the parties.

2. This is an application for withdrawal of 50% of the amount of compensation deposited by the respondent (original appellant) before this Court. The respondent has deposited an amount of Rs.12,71,773/- before this Court on 22/11/2018. In the appeal there is no ground based on breach of policy condition. Primarily, the challenge appears to be on the point of quantum. Considering the overall circumstances, the application is partly allowed. The applicant is permitted to withdraw an amount of Rs.5.00 lakhs (Rupees Five lakhs only) subject to usual

undertaking to bring back the amount, if so ordered by this Court. The undertaking to be filed before the Registrar (Judicial) of this Court. The balance amount shall stay invested in a nationalized bank.

C. V. BHADANG, J.

ap/-