

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1010 OF 2019
IN
FIRST APPEAL (STAMP) NO.19475 OF 2018**

Subhash Wamanrao Jadhav

...Applicant

Versus

The Manager Cholamandulam MS
General Insurance Co. Ltd.

...Respondents

.....

Ms Yogita Deshmukh-Chitnis for the Applicant/Appellant.

Mr. P.K. Bohade for the Applicant in CAF/1010/2019 and for the Respondent No.1 in FAST/19475/2018.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 21st JUNE, 2019.

P.C.:-

By this application, the Applicant has sought withdrawal of the compensation awarded by the Claims Tribunal, Nashik vide impugned judgment and award dated 27th June, 2017 in M.A.C.P. No.685 OF 2011.

2. Having heard the learned counsel for the respective parties and having perused the reasons stated in paragraph 5 of the application as well as the grounds raised in the appeal, the Applicant is permitted to withdraw 50% of the compensation alongwith the

proportionate interest.

3. Balance amount be reinvested in any Nationalised Bank till the disposal of the Appeal on merits. The Application stands disposed of.

4. It is made clear that the payment is subject to the final outcome of the Appeal. The Applicant shall file an undertaking before the Tribunal that he will abide by the final order that may be passed in the Appeal.

(SMT. ANUJA PRABHUDESSAI, J.)