

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

CIVIL APPLICATION NO.1538 OF 2019

IN

FIRST APPEAL (ST) NO.27700 OF 2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms.Aditi Athavale i/b Mr.M.M.Sathaye for the applicant

Mr.Ramesh Chavanke for the respondent no.1

**CORAM : K. K. TATED, J
DATE : APRIL 30, 2019**

P.C.:

. Heard.

2 By this Civil Application Applicant original Claimant is seeking permission to withdraw the amount deposited by the Insurance Company in the Tribunal.

3 The learned counsel for the Applicant submits that in the present proceedings, in an accident which occurred on 9.10.2008, Applicant sustained injury. Thereafter, he lost

his job. Therefore, he has filed the present Civil Application for withdrawal of the amount. He further submits that it is not possible for the Applicant to provide any security for withdrawal of the amount because of financial difficulty.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as Applicant is not in a position to provide solvent security for withdrawal of the amount, following order is passed:

- a. Applicant is permitted to withdraw 25% amount deposited by the Insurance Company without furnishing any security.
- b. Remaining amount can be withdrawn by the Applicant by furnishing solvent security to the satisfaction of the Trial Court on or before 29.06.2019.
- c. Civil application stands disposed of accordingly.
- d. No order as to costs.

(K.K.TATED, J.)