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

**CIVIL APPLICATION NO.164 OF 2018
IN
FIRST APPEAL (ST) NO.33494 OF 2018**

Vijay VamanDalvi ... Applicant.

In the matterbetween

Reliance General Insurance Co. Ltd. ... Appellant
V/s.
Vijay Waman Dalvi and anr ... Respondents

Mr. T.J. Mendon, for Applicant.
Ms. Poonam Mital, for the appellant.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 17th JANUARY, 2019.

P.C. :

1] This application is filed by the original claimant seeking withdrawal of the entire amount of compensation deposited by the Insurance company.

2] Learned counsel for the appellant submits that the appeal is on the quantum of compensation and also on the ground that there was no valid licence. In view thereof, the applicant cannot be permitted to withdraw the entire amount of compensation.

3] Considering the injuries suffered by him and his requirement for treatment, he is permitted to withdraw 50% of the amount of compensation subject to furnishing of usual undertaking.

4] Application is disposed off.

[DR.SHALINI PHANSALKAR-JOSHI, J.]