

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.3033 OF 2018
IN
FIRST APPEAL NO.653 OF 2017

Divisional Manager, National Insurance Co. Ltd. Amravati

-vs-

Nootan Sharad Chandawaskar and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri D. N.Kukday, Advocate for appellant.

Shri S. S. Patil, Advocate for respondent No.1.

CORAM : A.S.CHANDURKAR, J.

DATE : January 09, 2019

Perused the contents of the application. The prayer as made is opposed by the learned counsel for the appellant on the ground that the evidence brought on record by the claimant is insufficient to award the compensation as granted by the Claims Tribunal. It is submitted that the claimant did not suffer any loss of income nor is the permanent disability proved.

Prima facie, in the light of the evidence on record, the claimant is permitted to withdraw the amount of Rs.5,00,000/- subject to filing an undertaking within eight weeks that in case the appeal is allowed, the amount withdrawn shall be repaid with interest at such rate the Court may direct. Remaining amount shall be invested in Fixed Deposit.

Civil Application is disposed of.

JUDGE