

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6713 OF 2020 IN
FIRST APPEAL ST. NO. 36395 OF 2019

Gitaram Rangnath Gaikwad

Applicant

Versus

Vishal Subhash Bhalekar & another

Respondents

Mr. A.S. Gandhi, Advocate for the applicant.

Mr. Swapnil Dargad, Advocate holding for Mr. S.G. Chapalgaonkar,
advocate for respondent No. 1.

CORAM : M. G. SEWLIKAR, J.

DATE : 26th October, 2020.

PER COURT :

1. Heard Shri Gandhi, learned counsel for the applicant and Shri Dargad, learned counsel for respondent No. 1.

2. Learned counsel Shri Gandhi claims withdrawal of entire amount deposited by respondent No. 1 – insurance company. Learned counsel Shri Dargad argues that instead of decreasing income after accident of the applicant, his income has infact risen. Therefore, the tribunal has committed gross error in awarding compensation to the applicant. This question cannot be considered at this stage.

3. At this stage, it appears that the tribunal has awarded compensation of Rs. 28,45,000/-. In view of this, it would be in the fitness of things if the applicant is allowed to withdraw 50% of the total amount of compensation.

4. In view of this applicant is allowed to withdraw 50% of the amount awarded by the tribunal on usual terms and conditions.

5. Civil application stands disposed of.

(M. G. SEWLIKAR)
Judge

dyb