

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO.12736 OF 2019
IN FAST/11277/2019

ASHISH DNYANDEV DHERE
VERSUS
CHOLAMANDALAM GENERAL INSURANCE CO. LTD., AND ORS

Mr.Mukul S. Kulkarni, Advocate for the applicant.
Mr.S.G.Chapalgaonkar, Advocate for respondent No.1.
Mr.A.S.Shelke, Advocate for respondent No.4.

CORAM : V.L.ACHLIYA,J.
DATED : 17.12.2020

P.C. :-

01. The applicant-claimant has moved this application seeking withdrawal of amount of Rs.21,11,822/- deposited by the appellant-insurance company in terms of conditional order granting stay passed by this Court.

02. Upon consideration of challenge raised in the appeal, I am of the view that order in following terms would meet the ends of justice.

i) Application is partly allowed.

ii) The applicant is permitted to withdraw the amount to the extent of 50% of compensation deposited by the appellant on furnishing an undertaking to the effect that in the event the

award is set aside or modified, the applicant shall re-deposit the amount within eight weeks from the date of passing of such order.

iii) The balance amount be invested in fixed deposit in any nationalized bank till disposal of the appeal, if not already invested.

iv) The amount to be paid to the applicant be paid by transferring the amount in his savings bank account.

03. The application is disposed of in above terms.

[V.L.ACHLIYA,J.]