

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.5695 OF 2021
IN FAST/4061/2020**

**ANANTA KADAJI TIPALE
VERSUS
NEW INDIA ASSURANCE CO. LTD., THR ITS BRANCH**

Mr.S.S.Dargad, Advocate for applicant
Mr.S.R.Bodade, Advocate for respondent no.1

**CORAM : R.G. AVACHAT, J.
DATE : JULY 14, 2021**

ORDER :-

Heard.

2. Mr.Bodade, learned counsel for respondent no.1 – insurance company, submits that the medical bills have not been proved. The claimant suffered only 5% injury.

3. I have perused the impugned award. Considering the rival submissions of learned counsel for the parties, the applicant is permitted to withdraw 60% of the amount deposited in this Court with accrued interest thereon, on furnishing usual undertaking to the satisfaction of the Superintendent, Motor Accident Claims Tribunal, Beed. The amount deposited in this Court be transferred to the Tribunal for being paid to the applicant there.

4. The application stands disposed of accordingly.

[R.G. AVACHAT, J.]

KBP

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO.3083 OF 2020
WITH
FAST/4061/2020**

**NEW INDIA ASSURANCE CO. LTD., THROUGH ITS BRANCH
VS
ANANTA KADAJI TIPALE**

Mr.S.R.Bodade, Advocate for appellant
Mr.S.S.Dargad, Advocate for respondent no.1

**CORAM : R.G. AVACHAT, J.
DATE : JULY 14, 2021**

ORDER :-

Heard.

2. For the reasons stated in the application, delay is
condoned. The application is allowed.

[R.G. AVACHAT, J.]

KBP

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL [ST] NO.4061 OF 2020

**NEW INDIA ASSURANCE CO. LTD., THROUGH ITS BRANCH
VS
ANANTA KADAJI TIPALE**

Mr.S.R.Bodade, Advocate for appellant
Mr.S.S.Dargad, Advocate for respondent no.1

**CORAM : R.G. AVACHAT, J.
DATE : JULY 14, 2021**

ORDER :-

Heard.

2. Issue notice to the respondents, returnable after four weeks.
Mr.Dargad, learned counsel, waives notice for respondent no.1.
3. Call Record and Proceedings.
4. The appeal would be heard finally at admission stage itself.

[R.G. AVACHAT, J.]

KBP