

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

913 CIVIL APPLICATION NO.7188 OF 2020

IN FAST/27821/2019

BALAJI IRAPPA DHOTRE

VERSUS

**CHOLAMANDALAM MS GENERAL INSURANCE CO. LTD., THR ITS
BRANCH MANAGER, AURANGABAD AND ANR**

Mr.S.B. Choudhari, Advocate for the applicant.

Mr.S.G. Chapalgaonkar, Advocate for respondent No.1.

CORAM : N.J.JAMADAR,J.

DATE : 02.03.2021

PC :-

01. Heard learned Counsel for the applicant and the learned Counsel for respondent No.1-insurer.

02. This is an application for withdrawal of amount of compensation, deposited by respondent No.1-insurer, in terms of judgment and award dated 11.03.2019, in MACP No.101 of 2014.

03. There are averments in the application in justification of prayer for withdrawal.

04. Learned Counsel for respondent No.1 resisted the prayer on the ground that there is dispute about the accident and disability allegedly suffered by the applicant.

05. In the backdrop of the aforesaid submissions and averments in the application, it would be expedient to allow the applicant to withdraw 75% of the amount deposited by respondent No.1-insurer.

Hence, following order :-

The application stands partly allowed.

The applicant is permitted to withdraw 75% of the amount deposited by respondent No.1-insurer, on furnishing an undertaking to the satisfaction of the Registrar (Judicial).

[N.J.JAMADAR,J.]