

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

Civil Application [CAO] No.1976 of 2019
in
Civil Application [CAF] No.1144 of 2019
in
First Appeal No.1906 of 2019

Reliance General Insurance Co. Ltd.

vs.

Panditrao Bhaurao Bhuyar & others

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

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Court's or Judge's Orders

*Shri P.R. Agrawal, Advocate for the Applicant/Respondent No.1.
Shri H.N. Verma, Advocate for the Appellant.*

CORAM : S.M. MODAK, J.

DATE : 19th APRIL, 2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard both the sides.

There is a strong opposition for withdrawal of the amount on various grounds including not proving disability certificate, not proving the medical bills and not proving the income. Whereas, the claimant disputes all these contentions.

There are two appeals, one is on behalf of the Insurance Company thereby contending about grant of excessive compensation, and another is from the claimant thereby asking for enhancement. The appellant has deposited Rs.8,36,531/- as directed by this Court as per the order dated 13/03/2019.

Considering the submissions and record, this Court feels that the claimant can only be permitted to withdraw 50% of the deposited amount. This direction is made without affecting rights of both the sides.

The matter be kept in the second week of June, 2021 for final hearing. If both the appeals are not disposed of within a period of two months, then both the sides will be at liberty to ask for interim relief/direction. This direction will work only as and when the physical hearing starts. Hence, the following directions:

- ➔ The Nazar is directed to transfer 50% of Rs.8,36,531/- along with accrued interest in the bank account of the claimant/respondent No.1 on furnishing bank details and personal identification.
- ➔ Respondent No.1 to furnish an usual undertaking.
- ➔ The application stands disposed of.

Civil Application [CAF] No.1145/2019:

In view of the directions given in Civil Application [CAO] No.1976/2019, stay granted earlier is confirmed till final disposal of the appeal.

The application is disposed of.

JUDGE