

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

CIVIL APPLICATION NO.3272 OF 2022 IN FAST/14521/2007

GOVIND S/O WAMAN BHAMARE

VERSUS

**THE NEW INDIA ASSURANCE CO. LTD., AURANGABAD
THROUGH ITS BRANCH MANAGER, DHULE AND OTHERS**

....

Mr. C.C. Deshpande, Advocate h/f Mr. C.R. Deshpande, Advocate
for the Applicant

Mr. S.S. Dargad, Advocate h/f Mr. S.G. Chapalgaonkar,
Advocate for Respondent No.1

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 29th MARCH, 2022

PER COURT:-

1. It is an application moved by the applicant / original claimant no.2 seeking permission to withdraw the amount of compensation with accrued interest thereon.

2. Heard Mr. C.C.Deshpande holding for Mr. C.R. Deshpande, learned counsel for the applicant and Mr. Dargad holding for Mr. Chapalgaonkar, learned counsel for respondent no.1 / insurance company.

3. As per the impugned judgment and award passed in M.A.C.P No. 225 of 2002, the share of this applicant is determined at Rs. 50,000/-

4. Mr. Dargad, learned counsel for the respondent / insurance company opposed to allow this application. He submitted that the applicant is getting compensation in addition to the pension of his wife.

5. Mr. Deshpande, learned counsel for the applicant submitted that the applicant is in need of money and having regard to his share he may be permitted to withdraw the entire amount of compensation with interest.

6. Having considered the submissions of both the sides, I proceed to pass the following order:

ORDER

(i) The application is hereby allowed by modifying the order dated 05.05.2010 as under:

(ii) The applicant is permitted to withdraw Rs. 25,000/- along with accrued interest thereon on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

(ii) The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE