

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

**916 CIVIL APPLICATION NO.15142 OF 2022
IN FA/699/2019**

**VISHNU BHANUDAS AVHAD
VERSUS
NATIONAL INSURANCE CO. LTD., THR BRANCH MANAGER,
AHMEDNAGAR AND ANR**

...
Advocate for Applicant : Mr. R. B. Deshpande
Advocate for Respondent No.1 : Ms. Shwetambari B. h/f
Mr. Sanjay N. Pagare
....

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 18/11/2022.**

P. C. :

1. Heard rival submissions.
2. The applicant i.e. original claimant, is seeking withdrawal of entire compensation amount alongwith accrued interest there on till date, which is admittedly deposited by the respondent No.1- insurance company. The learned for the applicant relied upon the order of this court dated 12/10/2022, whereby the applicants therein were permitted to withdraw the entire amount of compensation. The said matter is in fact arising out of the same accident and the deceased in that matter was rider of motorcycle, whereas deceased in this matter was a pillion rider. In view of the same following order is passed.

ORDER

- A) The application is hereby allowed and the applicant is permitted to withdraw the entire

amount of compensation, which has been deposited by the respondent No.1 - insurance company alongwith the interest accrued thereon till date by furnishing the usual undertaking before the Registrar (Judicial) of this court mentioning that if the appeal is decided in favour of insurance company, he would redeposit the amount.

- B) The civil application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)