

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

**937 CIVIL APPLICATION NO.13357 OF 2021
IN FAST/41157/2019**

**GOVIND SHANKAR TIKONE THROUGH LRS
SHARDA AND OTHERS
VERSUS
NEW INDIA ASSURANCE CO. LTD., THROUGH ITS DIV.
MANAGER, AURANGABAD**

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Mr. M.R. Sonawane, Advocate for the applicants.
Mr. Swapnil Dargad, Advocate holding for
Mr. S.G. Chapalgaonkar, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 14.09.2022.

ORDER:-

1. Heard. This is an application for withdrawal of entire compensation amount which the appellant Insurance Company has deposited with this Court. The learned Counsel for respondent No.1 Insurance Company strongly opposed the application on the ground that excessive amount has been granted by the learned Tribunal on account of loss of future income especially when the injured was not removed from the service. However, the learned Counsel for the applicants submitted that there can be a partial withdrawal at this juncture.

2. In view of the above, the applicants are allowed to withdraw 50% of the deposited amount alongwith accrued interest thereon on furnishing usual undertaking to the satisfaction of the learned Registrar (Judicial) of this Court. The said amount be paid to Applicant No.1-A who is the wife of deceased injured. The remaining amount be invested in F.D.R. in any Nationalized Bank till final disposal of the appeal.
3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)