

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

CIVIL APPLICATION NO.1075 OF 2022

IN

FIRST APPEAL NO.137 OF 2021

(Divisional Manager, Future Generali India Insurance Co-operative Ltd. Vs. Avtar Uttam Tayade & ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.M. Kukday, Advocate for the appellant.
Shri Digvijay Singh, Advocate h/f Shri S.G. Bamankar, Advocate for
the respondent Nos.2 & 3.

CORAM : M.S. KARNIK, J.

DATED : MAY 05, 2022.

Heard learned counsel for the
claimant/respondent No.1.

2. This is an application by the claimant for
withdrawal of amount deposited by the appellant-
Insurance Company.

3. In paragraph Nos.3 and 4 averments are made
regarding the financial difficulties faced by the applicant-
claimant and expenses incurred by him for treatment of
on the injuries sustained in the accident.

4. Learned counsel for the appellant opposed the
application.

5. I have also perused the findings of the
tribunal.

6. Learned counsel for the appellant submitted
that if this court is inclined to permit withdrawal, the
amount allowed to be withdrawn should not be more
than 50%.

7. However, for the reasons stated in the application and taking an overall view of the matter, as the amount which has been deposited by the appellant is Rs.3,02,188/-, I am inclined to allow the application in terms of prayer made in the application.

8. The applicant is allowed to withdraw the amount of Rs.3,02,188/- subject to filing of usual undertaking before the Registrar(J.).

9. The application is disposed of.

(M.S. KARNIK, J.)

**DB*