

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3352 OF 2023
IN FIRST APPEAL NO. 623 OF 2022

SHRIKRISHNA DNYANOBA MANE
VERSUS
TATA AIG GENERAL INSURANCE COMPANY LTD

...
Mr. Y.P. Jadhav – Advocate for Applicant
Mr. A.S. Usmanpurkar – Advocate for Respondent No.1

....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 14th March, 2023

PER COURT :

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation which has been deposited by the respondent – Insurance Company.
3. The learned counsel for the respondent – Insurance Company strongly opposed the application on the ground that, the learned Tribunal has granted exorbitant amount of compensation in respect of the medical treatment by simply relying on the medical bills without any supporting evidence.

He also pointed out that the applicant sustained injury to muscle of right leg which according to doctor may heal in future by only taking Physiotherapy.

4. In view of the same, the applicant at this juncture, is permitted to withdraw 50% of the deposited amount alongwith the proportionate interest thereon till date on usual undertaking to the satisfaction of the Registrar (Judicial) of this court.

5. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE

Pooja K.