

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

**CIVIL APPLICATION NO. 5079 OF 2023 IN
FIRST APPEAL NO. 3274 OF 2021**

Ganpati s/o Ashok Pawar

Applicant

Versus

Matake Malikarjun Maroti
and another

Respondents

Mr. Shrimant Mundhe, advocate for the Applicant
Mr. S. R. Bodade, advocate for Respondent No.2.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 03rd July, 2023.

PC :

Heard rival submissions.

The applicant is seeking withdrawal of entire amount of compensation, which has been deposited by the appellant-Insurance Company.

The learned Counsel for the appellant-Insurance Company strongly opposed the application on the ground that exorbitant compensation was granted in absence of evidence in respect of income and nature of injuries.

In view of the same, the applicant, at this

juncture, is permitted to withdraw 50% of the compensation amount with proportionate interest accrued thereon, by furnishing usual undertaking to the satisfaction of Registrar (J) of this Court. The remaining amount be invested in FDR, in any Nationalised Bank, on yearly renewal basis, till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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FIRST APPEAL NO. 3274 OF 2021

National Insurance Co. Ltd.

Applicant

Versus

Ganpati s/o Ashok Pawar
and another

Respondents

Mr. S. R. Bodade, advocate for the Applicant
Mr. Shrimant Mundhe, advocate for Respondent No.1.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 03rd July, 2023.

PC :

Heard.

Admit.

Learned Counsel for Respondent No.1-applicant
waives service.

**(SANDIPKUMAR C. MORE)
JUDGE**

adb