

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CIVIL APPLICATION NO.3435 OF 2023
IN FAST/17382/2022 WITH CA/11375/2022 IN FAST/17382/2022
WITH CA/11376/2022 IN FAST/17382/2022

VIJAY S/O DATTATRAYA PADWAL
VERSUS
MATINKHAN KARIMKHAN PATHAN

...
Advocate for Applicant : Mr. Deshmukh Vivekanand B.
Advocate for Respondent No.2 : Mr. S. S. Patil
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 08/09/2023

PER COURT :

Heard the learned Advocate appearing on behalf of the parties.
In application for withdrawal of amount, the insurance company has deposited the entire amount of compensation as directed by the Tribunal in this Court. In the similar matter, arising out of the same accident, this Court has permitted withdrawal of 50% of the compensation amount deposited by the Insurance Company subject to furnishing of usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

2. In view of the same, the applicant is permitted to withdraw 50 %

of the compensation amount deposited by the Insurance Company subject to furnishing of usual undertaking to the satisfaction of the Registrar (Judicial) of this Court.

3. The balance amount be kept in fixed deposit in any Nationalized Bank initially for a period of one year with renewal clause. Civil application is disposed of.

4. For the reasons stated in the application for condonation of delay of 17 days caused in filing appeal, is allowed and disposed of.

5. The appeal is **admitted** subject to removal of office objections, if any, within a period of four weeks.

6. The learned Advocate Mr. S. S. Patil waives service of notice on behalf of respondent No.2.

7. Tag the present first appeal along with FAST/17382/2022.

(ARUN R. PEDNEKER, J.)

vj gawade/-.