

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

**39 CIVIL APPLICATION NO.11695 OF 2022
IN FAST/27948/2017**

**JAKIR SHABBIR PATHAN
VERSUS
CHOLAMANDALAM M.S. GENERAL INSURANCE COMPANY LTD.,
THR DIV. MANAGER AND ANOTHER**

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**Advocate for Applicant : Mr. Mayure Pramod C.
Advocate for Respondent No.1 : Mr.Abhijit Choudhari**

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 23.01.2023

PER COURT :

Heard rival submissions. The applicant is seeking withdrawal of balance compensation amount as he met with subsequent accident and is in dire need of money. The learned counsel for the Insurance Company strongly opposed the application by pointing out that the applicant has already withdrawn 50% amount of the compensation i.e. around Rs. 17,00,000/-.

2. However, considering the injuries sustained by the applicant in subsequent accident and the medical expenditure to that effect, the applicant is permitted to withdraw amount of Rs. 3,00,000/- (without any interest) from the balance compensation amount by furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this

Court. The remaining amount be invested in F.D.R. in any Nationalised Bank on yearly renewal basis till final disposal of this appeal.

3. Application is disposed of accordingly.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-