

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

**17 CIVIL APPLICATION NO.1064 OF 2023
IN FA/2201/2020**

**ROHIT ANNASAHEB GORE
VERSUS
NATIONAL INSURANCE CO. LTD., THR ITS MANAGER,
AURANGABAD AND ANOTHER**

...
Advocate for Applicant : Mr. Pathan Sartaj Khan H.
Advocate for Respondent No.1 : Mr. S.R.Bodade
...

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 30.01.2023

PER COURT :

Heard rival submissions. The applicant is seeking withdrawal of entire amount of compensation. The application is strongly opposed by respondent No.1 -Insurance Company on the ground that there was no permanent disability to the applicant due to injuries sustained in the accident. According to him, there was unexplained delay in lodging F.I.R. in respect of the accident. He also pointed out that despite there being any corroborating evidence in respect of medical bills, the Tribunal awarded exorbitant amount on that count.

2. In view of the above and at this juncture, the applicant is allowed to withdraw only 50% of the deposited amount along with the proportionate interest thereon till date on furnishing usual

undertaking to the satisfaction of learned Registrar (Judicial) of this Court.

3. The remaining amount be invested in F.D.R. in any Nationalized Bank on yearly renewal basis till disposal of the appeal.

4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-