

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.571 OF 2023
IN
FIRST APPEAL NO.275 OF 2022

Reliance General Insurance Company Ltd., Mumbai through it's Divisional Manager
Vs.

Smt. Rupali Dayanand Jadhao and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D. N. Kukday, Advocate for appellant.

Mr. S. U. Bhuyar, Advocate for respondent Nos.1 and. 2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 20/03/2023

1. Present application is for seeking permission for withdrawal of the amount.

2. Learned Advocate for the respondent Nos.1 and 2 submitted that both the respondents have lost their earning hand in the alleged accident. Though award is passed, respondent Nos.1 and 2 have not received any compensation amount. They are facing great financial crisis, hence they may be permitted to withdraw the compensation amount.

3. Learned Advocate Mr. Kukday for the appellant objected for the same on the ground that appellant has already challenged the Judgment and Award as the compensation amount awarded is excessive and exorbitant one.

4. Heard both the sides. Perused the application.

5. Considering the reasons mentioned in the application and objection raised, it will be appropriate to permit the respondent Nos.1 and 2 to withdraw 50% amount on usual undertaking.

6. In view of that, respondent Nos.1 and 2 are permitted to withdraw 50 % of the amount on usual undertaking on due identification and verification.

7. Civil Application is disposed of.

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1. Heard.

2. **Admit.**

3. Learned Advocate Mr. Bhuyar, waives notice for respondent Nos.1 and 2.

4. Call for record and proceedings.

5. Appellant to file paper book within eight weeks, after receipt of the record and proceedings.

6. Appeal be placed for final hearing as per its own turn.

(URMILA JOSHI-PHALKE, J.)