

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO.1270 OF 2023 IN
FIRST APPEAL (ST) NO.11380 OF 2019

[National Insurance Company Ltd. ..V/s.. Ravindra Mahadeorao Ingole and
Ors.]

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

Court's or Judge's order

Mr B. P. Bhatt, Advocate for Appellant.
Ms S. H. Bhagat, Advocate for Respondent Nos.1 and 2.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 28th APRIL, 2023.

1. Present application is for seeking permission for withdrawal of the amount on the ground that the respondents have lost their son, who was 16 years old, in an alleged incident. Now, they are in dire need of compensation amount to meet their day-to-day expenses.

2. The said application is strongly opposed by the learned Advocate for appellant on the ground that the appellant has challenged the quantum as well as appellant is not liable to compensation, as there is breach of policy as driver of the offending vehicle was not having driving license.

3. The issue raised by the learned Advocate for appellant can be considered at the time of final disposal of the appeal. At this stage, it will be appropriate to permit the respondent Nos.1 to 4 to withdraw 50% of the amount of compensation alongwith accrued interest on usual undertaking, on due identification and verification.

4. The civil application is disposed of.