



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9375 OF 2024
IN FA/1667/2024

Suryakant Govind Chikne Through Next Friend Wife Rekha
Suryakant Chikne And Anr

VERSUS

Annasaheb Tukaram Chikne And Anr

- Mr. M. D. Shinde, Advocate for the Applicants
- Mr. S. V. Kulkarni, Advocate for Respondent No. 2

CORAM : KISHORE C. SANT, J

DATE : AUGUST 30, 2024

PER COURT :

1. Heard application. Both parties have argued vehemently.

2. It is the case that the Applicant/Injured has met with an accident when he was hardly 32 years of age. Doctors have certified that he has suffered 80% permanent disability. Learned Advocate for the Applicant submits that though the Applicant was hardly 32 years of age, the Court has not granted any amount towards future prospects, pain and suffering etc. He thus submits that the Applicant is entitled to more amount than the what is awarded by the Tribunal.

3. Learned Advocate for the Insurance Company, on the other hand, submits that there were two vehicles involved in the accident. There are no chances of succeeding in Appeal.

4. Considering this, following order:

O R D E R

- (a) Application is allowed.
- (b) Applicant is permitted to withdraw 75% of the amount deposited in this Court along with interest on furnishing usual undertaking. Amount deposited in this Court be transmitted to the learned MACT, Osmanabad with a request to allow the Applicants to withdraw the amount.
- (c) Applicant to furnish undertaking that in case the Appeal is allowed Applicant shall redeposit the amount along with interest within 12 weeks from such judgment. Undertaking be given to the learned Member, MACT, Osmanabad.
- (d) Remaining amount be kept in fixed deposit in any nationalized bank to be renewed periodically.

(KISHORE C. SANT, J.)