



drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12607 OF 2017
IN
FIRST APPEAL NO.1634 OF 2016

Shaikh Yakub Shaikh Miyan

APPLICANT

VERSUS

United India Assurance Co. Ltd., Through its
Deputy Manager (T. P. Hub, Aurangabad & Ors

RESPONDENTS

.....
Mr. Shaikh Faruk V. Patel, Advocate for the Applicant
Mr. S. S. Rathi, Advocate for Respondent No.1
Mr. Shrimant Mundhe, Advocate for Respondents No.2 and 3
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 9th DECEMBER, 2024

ORDER :

1. This application is filed for withdrawal of amount of compensation awarded to the applicant for 22% permanent disability suffered by him on account of multiple rib fracture.

2. Learned Advocate for the Insurance Company and learned Advocate for Respondents No.2 and 3 strenuously opposed the application contending that rib fractures do not incur permanent disability. Learned Advocate for the Insurance Company also submits that in fact, in the facts of the present case, the Applicant is not entitled for compensation from the Insurance Company.

3. For the reasons stated in the application, the application is partly allowed. Applicant is permitted to withdraw an amount of Rs.2 lakhs, on furnishing solvent surety / security to the satisfaction of the Registrar (Judicial).

[NITIN B. SURYAWANSHI]
JUDGE

drp/ca12607-17.doc