



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13889 OF 2024 IN FA/1226/2016

Deepali Manoj @ Vikas Shirsath And Another
VERSUS
National Insurance Co. Ltd., Through Its Divisional Manager
And Another

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Mr. Sagar Mahale, Advocate h/f Mr. Shaikh Mazhar A.
Jahagirdar, Advocate for Applicant
Mr. A.B. Gatne, Advocate for respondent No.1
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[CORAM : NITIN B. SURYAWANSHI, J.]
DATE : 19th DECEMBER, 2024

ORDER :

1. Heard.
2. This application is filed for withdrawal of compensation amount deposited by the insurer.
3. Learned advocate for the insurer has strenuously opposed the application stating that exorbitant compensation is awarded by the Tribunal and at the time of admission, only Rs.5,00,000/- is permitted to be withdrawn by the applicant. Insurer has deposited total compensation amount of Rs.23,64,197/- and claimants are not entitled for enhanced compensation. He further submits that, this Court has directed that the matter to be heard finally at admission stage and was pleased to fix it on 13.04.2016. However, it was not listed on that day.

4. Considering the fact that accident has taken place on 17.06.2011 and the claimants have received compensation of Rs.5,00,000/- so far, the application is partly allowed. Claimants are permitted to withdraw amount of compensation of Rs.5,00,000/- along with proportionate interest accrued thereon, on furnishing usual undertaking to the satisfaction of Registrar (Judicial).

5. List the first appeal for further consideration in the week commencing from 12.02.2025.

[NITIN B. SURYAWANSHI]
JUDGE