



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 530 OF 2024 IN FAST/22329/2023

AZHAR AKRAM SHAIKH
VERSUS
BABAN BHIVA GAVAI

...
Advocate for Applicant : Ms. Mangal R. Chavan (Manal)
Advocate for Respondent No.3 : Mr. M. R. Deshmukh
...

CORAM : S. G. MEHARE, J.

DATE : 02-02-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned counsel for respondent No.3/insurer.
2. The appeal is filed on the ground that the insured vehicle was not involved in the accident. However, the learned Tribunal considered the claim and held the insurer liable to pay the compensation. It was a injury claim. The compensation of Rs.4,96,950/- has been awarded with interest. The insurer has deposited the entire amount of the award. Considering the facts and circumstances of the case, the following order is passed;

ORDER

- i) The application is allowed.
- ii) The applicant is permitted to withdraw the amount of Rs.4,96,950/- (Rs.Four Lakh Ninety Six Thousand Nine Hundred Fifty Only) on furnishing an undertaking that he will deposit the amount with the Court, if the impugned award is reversed.

(S. G. MEHARE, J.)