



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

12 CIVIL APPLICATION NO. 430 OF 2025

IN FAST/7348/2024

SHIVAJI EKNATH PALALE

VERSUS

THE NEW INDIA INSURANCE COMPANY LIMITED THROUGH ITS
MANAGER AND ORS

WITH

CIVIL APPLICATION NO. 1367 OF 2025

IN FAST/7348/2024

WITH

CIVIL APPLICATION NO. 5917 OF 2024

IN FAST/7348/2024

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Mr. Dhongade, Rohit Ravindra, Advocate for the Applicants
Mr. R. R. Imale, Advocate for Respondent and for applicant in CA
Nos.1367/2025 and 5917/2024

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 02.05.2025

PER COURT :-

. Heard learned Advocates appearing for respective parties.

2. Applicant is seeking permission to withdraw the amount deposited by the respondent/insurance company in pursuance to the award dated 29.03.2023 passed in MACP No.166 of 2018.

3. The applicant suffered injuries in an accident dated 18.03.2018 involving an insured vehicle. His permanent disability was assessed by the doctor to the extent of 45%. The Tribunal assessed the compensation at Rs. 6,77,400/- and passed an award accordingly. The respondent/insurer filed an appeal challenging the

quantum of compensation.

4. Considering submissions advanced and reasons adopted by the Tribunal, applicant is certainly entitled for partial withdrawal of the amount. Hence, application is allowed. Applicant is permitted to withdraw 60% of the compensation amount as deposited by the respondent/insurer on furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court that he shall re-deposit the amount, in case, adverse order is passed in appeal.

CIVIL APPLICATION NO.1367 of 2025

. Heard Mr. Imale, learned Advocate appearing for the applicant.

2. Re-issue notice to respondent No.2 on same address, returnable on 25.07.2025.

CIVIL APPLICATION FOR STAY

. Heard Mr. Imale, learned Advocate appearing for the applicant. He submits that entire amount as per the award passed has been deposited with the Registry of this Court. Hence, application is allowed in terms of prayer clause (B) and disposed of.

[S. G. CHAPALGAONKAR, J.]

HRJadhav