



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

**CIVIL APPLICATION NO. 3039 OF 2025
IN FA/62/2025**

VINOD DATTU KADAM

VERSUS

**THE BRANCH MANAGER RELIANCE GENERAL INSURANCE
CO LTD AND ANR**

...

Ms. Sayali Tekale h/f Mr. Prasanna Diliprao Dadpe, Advocate for Applicant.

Mr. A. S. Usmanpurkar, Advocate for Respondent.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 21st MARCH, 2025.**

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The applicant suffered injury in motor vehicular accident resulting into 100% permanent disablement. He approached Tribunal seeking compensation. The Tribunal passed an award for Rs.31,33,000/-. The insurer filed present appeal assailing involvement of insured vehicle on the ground that FIR has been lodged after 35 days and rider of offending motorcycle was none other than brother of the claimant.
3. Looking to the controversy as raised, at present applicant is provisionally permitted to withdraw 1/3rd of compensation amount as deposited by insurer subject to furnishing of undertaking to the satisfaction of Tribunal that he shall redeposit amount in case adverse order is passed in Appeal. For that purpose office shall transmit 1/3rd amount to Tribunal from where claimant shall withdraw the same.

4. Rest of the amount be retained and kept in fixed deposit till further orders on present application. The applicant shall be entitled to press for further withdrawal after receipt of Record and Proceeding.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2025