



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 CIVIL APPLICATION NO. 7728 OF 2025
IN FAST/9888/2025

SHRI UDDHAV POPAT NAKADE

VERSUS

THE MANAGER RELIANCE INSURANCE COMPANY LTD AND
ANR

WITH CIVIL APPLICATION NO. 3630 OF 2025 IN
FAST/9888/2025

WITH CIVIL APPLICATION NO. 3631 OF 2025
IN FAST/9888/2025

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Advocate for Applicant : Mr. Amardeep F. Naiknaware h/f Mr.
Nimbalkar Anirudha Arvind.

Advocate for Respondent : Mr. Aniruddha S. Usmanpurkar.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 25.07.2025

PER COURT :-

1. Heard both sides.
2. Applicant is seeking withdrawal of amount of Rs.21,87,324/- and statutory benefits of Rs.25,000/-. It is submitted by learned counsel for the applicant that for the reasons stated in the application, it is desirable to permit him to withdraw the amount.
3. Learned counsel Mr. Usmanpurkar would oppose the submissions. He would submit that the fractures caused in the

accident are reported to be united. The loss of earning capacity which is treated to be 30% is unconscionable. It is further submitted that no evidence was produced to show the monthly income which is treated for the condition of the compensation.

4. Considering the submissions of the parties and the impugned judgment, I find that interest of the justice would be sub-served in permitting the applicant to receive 60% of the amount deposited with accrued interest.

5. Civil application for withdrawal of amount is allowed partly thereby permitting the applicant to receive 60% amount with accrued interest on furnishing undertaking to the satisfaction of the Registrar (Judicial) of this Court.

6. Balance amount shall be invested in Nationalized Bank.

In First Appeal

7. **Admit.**

8. Learned counsel Mr. Naiknaware holding for Mr. Nimbalkar waives service of notice for respondents/claimants.

9. Call for Record and Proceedings from the concerned Court.

Civil Application for Stay

10. As the amount under award is deposited, ad-interim relief granted earlier shall stand confirmed.

11. Civil Application for stay is disposed of.

Civil Application for delay

12. For the reasons stated in the application, delay of 28 days stands condoned.

13. Civil application is disposed of.

(SHAILESH P. BRAHME, J.)

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vmk/-