



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

**CIVIL APPLICATION NO. 11999 OF 2024
IN FA/3169/2024**

ANJALI RAHUL GHULE

VERSUS

RELIANCE GENERAL INSURANCE COMPANY LTD AND ORS

...

Mr. Rajendra Laxmanrao Kute, Advocate for Applicant.

Mr. Anirudha S. Usmanpurkar, Advocate for Respondent No.1.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 27th MARCH, 2025.

P.C.:-

1. Heard learned Advocates appearing for respective parties.
2. The applicant/original claimant in M.A.C.P. No.69/2017 seeks permission to withdraw amount deposited by respondent/insurer in pursuance to award passed by Motor Accident Claims Tribunal.
3. The applicant suffered injuries in motor vehicular accident dated 02.06.2015. Eventually, she suffered fracture. As per certificate given by Dr. N. S. Nehulkar, claimant certified 35% permanent disablement. The Tribunal accordingly assessed compensation and passed award for Rs.11,47,968/- in favour of claimant.
4. The appellant/insurer assailed aforesaid award on the ground of quantum.
5. Mr. Usmanpurkar, learned Advocate appearing for respondent/insurer submits that since claimant is medical practitioner, there is no loss of earning to the claimant to the permanent disablement suffered by her.

6. Considering submissions advanced and reasoning adopted by Tribunal, apparently dispute in Appeal is limited to quantum and claimant is certainly entitled for partial withdrawal of amount. Hence, following order:

ORDER

- a. Civil Application is partly allowed.
- b. The applicant is permitted to withdraw 60% compensation amount as deposited by appellant/insurer on furnishing usual undertaking to the satisfaction of Registrar (Judicial) of this Court that in case any adverse order is passed, she shall redeposit the amount.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2025