



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 760 OF 2025
IN
FIRST APPEAL NO. 1089 OF 2025

M/s. Tata AIG General Insurance Co. Ltd., Mumbai Vs. Jitendra Prakash Walde and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. H.N. Verma, Advocate for applicant.
Mr. A.R. Rishi, Advocate for respondent No.1.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 04.02.2026

This is an application for withdrawal of the amount, which is deposited, by the Insurance Company.

2. Learned counsel for respondent No.1/original claimant submits that he has suffered permanent disability on account of injury sustained in the vehicular accident and is entitled for withdrawal of the compensation.

3. He submits that in the accident, the applicant's right leg was amputated and considering this aspects, the liability is imposed upon the Insurance company.

4. Having regard to the contents of the application and submission advanced, at this stage, the

respondent No.1/applicant is permitted to withdraw 50% of the amount of compensation i.e. 50% of Rs.53,54,000/-, subject to furnishing usual undertaking before the Registrar (Judicial).

5. The civil application is allowed and disposed of accordingly.

Civil Application (CAF) No.2995/2025

This is an application under Order 41 Rule 5 of the Code of Civil Procedure for grant of stay to the impugned judgment and award.

2. Learned counsel for appellant points out that the appellant has deposited the entire amount in accordance with order passed by this Court on 02.09.2025.

3. In view of this, the impugned judgment and award passed by the Motor Accident Claims Tribunal, Nagpur, shall remain stayed, during pendency of appeal.

4. The civil application is disposed of accordingly.

(Prafulla S. Khubalkar, J.)