

IN THE HIGH COURT OF BOMBAY AT GOA**MISC. CIVIL APPLICATION NO. 70 OF 2015**

Smt. Sundari Krishna Naik
Alias Shobhawati Krishna Naik

... Applicant

Versus

1] Bajaj Allianz General Insurance
Company Ltd. and others

... Respondents.

Mr. J. J. Mulgaonkar, Advocate for the applicant.
Ms. Swati Kalyankar, Advocate for the respondents.

Coram :- K. L. WADANE, J.

Order Reserved on :- 13/03/2015.

Order Pronounced on :- 17/03/2015.

ORDER :

This is an application filed by the applicant-petitioner for the withdrawal of the amount of Rs. 2,45,402.20 ps. along with future interest till its realization, as the same is invested in the Bank.. The Motor Accident Claims Tribunal awarded compensation of Rs.3,35,635/- along with 9% interest. Subsequently, in appeal the High Court reduced it to the extent of Rs.2,00,700/-. At the time of filing of the appeal the Insurance Company has deposited the entire amount in this Court. Therefore, the applicant-petitioner prayed to allow her to withdraw an amount of Rs.2,45,402.20 ps. along with future interest. The Insurance Company has stated that the rest of the amount along

with interest be paid to it. It is also contended that the amount of cost also be refunded to the Insurance Company because it has not been granted to the applicant-petitioner. Since the petition for compensation is allowed the applicant-petitioner is entitled for cost. Hence, following order.

: Order :

1. The application is allowed.
2. An amount of Rs. 2,45,402.20 ps. be paid to the applicant-petitioner along with future interest till its realization and the rest of the amount be paid to the Insurance Company along with interest.
3. Accordingly, the application is disposed of.

K. L. WADANE, J.

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