

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 325 OF 2015

IN

FIRST APPEAL NO. 93 OF 2010

MR. VASANT V. BUGDE @ NARESH V.
BUGDE.

... Applicant

Versus

MR. VASANT RAGHUNATH JOSHI AND 4
ORS.,

... Respondents

Mr. Chaitanya Padgaonkar, Advocate for the applicant.

Coram:- K. L. WADANE, J.

Date:- 4th July, 2015

P.C.

Heard Mr. C. Padgaonkar, learned counsel appearing for the applicant.

2. This is an application filed by the applicant for withdrawal of the amount which he has deposited before this Court from time to time at the time of filing of appeal and thereafter.

3. The learned Presiding Officer of M.A.C.T. while deciding the Claim Petition, the applicant i.e. owner of the vehicle and driver were held to be responsible for payment of compensation and the Insurance Company of the vehicle has exonerated from the liability to pay the compensation against which the present applicant has filed

an appeal in which all the respondents are jointly and severally held to be liable to pay the compensation. Thereafter, the original claimant has filed an Execution Application No. 15/2010 in Claim Petition No.32/2008 in which the Insurance Company has deposited the entire amount of compensation together with interest and it has been withdrawn by the original claimant. In such circumstances, the present applicant is entitled to withdraw the entire amount which he has deposited before this Court. Hence, the application is allowed. The Registry is accordingly directed to refund the amount to the applicant which he has deposited before this Court from time to time along with interest accrued thereon, if any.

4. The application stands disposed of accordingly.

K. L. WADANE, J.

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