

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2269 OF 2015
IN
FIRST APPEAL (ST.) NO. 5215 OF 2015

Vandana Vishnu Dagade & Ors. ... Applicants
Vs.
The Branch Manager
New India Insurance Co. Ltd. ... Respondent

Mr. Ajay A. Joshi, Advocate for the applicant.
Mr. H.G. Misar, Advocate for the respondent.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **9th December, 2015**

P.C.:

This Application is moved by the applicants for withdrawal of the amount deposited by the insurance company in Motor Accident Claims Tribunal, Sangli.

2. The insurance company has filed the Appeal challenging the judgment and award dated 16th September, 2014 passed by the learned Member, Motor Accident Claims Tribunal, Sangli in M.A.C.P. No. 268 of 2011. The insurance company has deposited an amount of Rs.26,21,982/-.

3. The learned counsel for applicants has submitted that applicant no.1 has lost her husband and applicant nos. 2 and 3 lost their father in the

accident, therefore, the family has suffered great financial loss and they do not have good financial background.

3. The learned counsel for the insurance company opposed the Application.

4. It is a death claim. Considering the submissions of learned counsel for the applicants, the applicant no. 1 is allowed to withdraw Rs.10,00,000/- by giving an undertaking to the satisfaction of the Tribunal. The remaining amount is to be invested in the fixed deposit in any nationalized bank.

5. Civil Application is disposed of.

(MRIDULA BHATKAR, J.)