

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO. 1642 OF 2013
IN
FIRST APPEAL NO. 1595 OF 2013***

National Insurance Co. Ltd. ... Applicant

v/s

Kum. Ghatna Haresh Joshi & ors. ... Respondents

Mr.Atul B. Gatne for the applicant.

Mr.A.J. Uniyal for the respondent Nos.1 and 2.

***CORAM: SMT. VASANTI A. NAIK &
SHRI C. V. BHADANG, JJ.***

DATED : 9TH FEBRUARY 2015

P.C.:

Heard the learned counsel for the parties. Perused the judgment of the Motor Accident Claims Tribunal.

Since the Insurance Company admits that an amount of Rs.22,34,950/- is payable to the respondent Nos.1 and 2 towards the compensation, we permit the respondent Nos.1 and 2 to withdraw a sum of Rs.22,00,000/- with interest thereon. In addition, the remaining amount of Rs.17,26,895/- with interest thereon, should be placed in fixed deposit account in a nationalized bank and the respondent Nos.1 and 2 should be permitted to

receive the interest on an amount of Rs.10,00,000/- during the pendency of the first appeal. While withdrawing the amount of Rs.22,34,950/- which is the admitted amount payable to the respondent Nos.1 and 2 towards the compensation, the Trial Court should not seek any surety or security from the respondent Nos.1 and 2. So also, monthly interest on a sum of Rs.10,00,000/- should be released in favour of the respondent Nos.1 and 2 without seeking any surety or security.

Civil application is allowed in the aforesaid terms and disposed of.

(C. V. BHADANG, J.)

(VASANTI A. NAIK, J.)