

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2894 OF 2015
IN
FIRST APPEAL NO. 2314 OF 2011

Gopalsingh Kearsingh Sehami & Anr. ... Applicants

vs.

The Divisional Manager, The Oriental
Insurance Co. Ltd.

... Respondent

Mr. Sachin Khandagale i/b. Ram & Co., Advocate for the applicants.

Mr. S.S. Vidyarthi i/b. Mr. S.M. Vidyarthi, Advocate for the respondent.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE : 4th September, 2015

P.C.:

This Application is moved for withdrawal of the amount of award deposited by the respondent/insurance company.

2. The learned counsel for the applicants/original claimants submitted that an amount of Rs.5,93,441/- is deposited by the insurance company in pursuance to the award dated 21st March, 2011 passed by the MACT, Nashik.

3. The learned counsel for the insurance company submitted that type of driving licence of the deceased is disputed in Appeal.

4. Till today, the original claimants have not received any amount

except the amount towards No fault liability. Considering the financial condition of the applicants, the applicants are allowed to withdraw an amount of Rs.4,00,000/- on undertaking to the satisfaction of the Tribunal. The remaining amount is to be invested in fixed deposit in any nationalized bank, pending Appeal. The statutory amount of Rs.25,000/- which is deposited in the High Court is to be transferred to MACT, Nashik and should be also invested in a fixed deposit.

5. Civil Application is allowed and the same is accordingly disposed of.

(MRS.MRIDULA BHATKAR, J.)