

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2908 OF 2015
IN
FIRST APPEAL NO. 919 OF 2015

Vasant Mahadeo Lanjekar & Anr. ... Applicants
vs.
New India Assurance Co. Ltd. ... Respondent

Ms. Suyoj R. Dalvi, Advocate for the applicants.
Mr. Ramesh Cheulkar, Advocate for the respondent/original appellant.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE : AUGUST 28, 2015

P.C.:

Not on board. Upon mentioning, taken on board.

2. This Application is moved for withdrawal of the entire amount deposited by the insurance company pursuant to the award dated 21st September, 2011 passed by the Member, Motor Accidents Claims Tribunal in M.A.C.P. No. 1515 of 2001 of Rs.1,41,000/- inclusive of NFL amount along with interest.

3. The learned counsel for the applicants submitted that till today, claimant/Smt. Laxmibai Lanjekar, who has lost her sons and husband thereafter during the pendency of the application, did not receive a single rupee.

4. The learned counsel for the respondent/original appellant

submitted that the insurance company has deposited the entire amount, i.e. 78,983/- excluding NFL amount.

5. In view of this, the applicant is allowed to withdraw Rs.75,000/- on furnishing personal undertaking before the M.A.C.T., Mumbai stating therein that in case the appellant succeeds in the First Appeal, the applicant will bring back the money. The statutory amount of Rs.25,000/- deposited in this Court is to be transferred to the M.A.C.T., Mumbai.

6. Civil Application is allowed and is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)