

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3259 OF 2015
IN
FIRST APPEAL ST. NO.21272 OF 2008

Shri Bhashkar Laxminarayan Rao ... Applicant

IN THE MATTER BETWEEN

United India Insurance Co. Ltd. ... Appellant

Vs.

Shri Bhaskar Laxminarayan Rao & anr. ... Respondents

Mr.T.J. Mendon for Applicant in CAF/3259/2015 and for Respondent No.1
in the appeal
Mr.D.R. Mahadik for the Appellant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **30th SEPTEMBER, 2015**

P.C.:

1. This is an application for withdrawal of the amount, which is deposited by the insurance company in the Motor Accident Claims Tribunal, Alibag, Raigad in MACP No.287 of 2001. The principal amount of Rs.393,000 plus interest accrued thereon is deposited. The learned Counsel for the applicant submits that the applicant has already spent money for his medical treatment. It is an injury claim.

2. The learned Counsel for the insurance company opposes the application. He submits that the insurance company has good case on merits.

3. Perused the application. Considering the submissions of the learned Counsel for the applicant and as the claim is also of 2008 and till today, no amount is received by the applicant, except NFL amount, the applicant is allowed to withdraw a sum of Rs.150,000/- on an undertaking to be given to the satisfaction of the Tribunal. The statutory amount of Rs.25,000/- deposited in this Court to be transferred to the MACT, Alibag, Raigad.

4. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)

CERTIFICATE

Certified that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.