

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3534 OF 2015
IN
FIRST APPEAL st. NO.12594 OF 2013

Smt.Akbari Mohammad Naina Qureshi & Ors. ... Applicants

Vs.

National Insurance Company Ltd. ... Respondent

Mr.A.M. Gokhale for the Applicants
Mr.R. Mehta i/b KMC Legal Venture for Respondent

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

DATE: **22nd JANUARY, 2016**

P.C.:

1. This application is filed by the legal representatives of the injured person for withdrawal of the amount of compensation of Rs.1,62,782/- which is directed to be paid with 12% interest. The Commissioner for Workmen's Compensation and the Labour Judge has awarded compensation plus interest @ 12% from 16.7.2004.
2. The learned Counsel for the appellant insurance company opposes the application. The learned Counsel submits that the insurance company has a good case on merits.
3. It is an appeal under the Workmen's Compensation Act. In the circumstances of this case, the applicants are allowed to withdraw 50% of

the amount including interest which is accumulated till today, subject to the applicants furnishing usual undertaking to the satisfaction of the Motor Accident Claims Tribunal. The rest of the amount shall be invested in a fixed deposit of any nationalised bank.

4. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)