

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 260 OF 2016
IN
FIRST APPEAL NO. 1344 OF 2013

Kumari Rajani Suresh Bhore

.....Applicant
(Orig. resp no.1)

IN THE MATTER BETWEEN :

United India Insurance Co. Ltd.

.....Appellant

V/s.

1. Kum. Rajani Suresh Bhore and anr.

.....Respondents

* * * * *

Mr. Ketan Joshi, Advocate for the appellant.

Mr. Swapnil Waradkar, Advocate for respondent no.1.

Coram :- Smt. R.P. SondurBaldota, J.

7th March, 2016.

P.C. :-

1). This Civil Application is for liberty to withdraw the amount of compensation deposited by the appellant in the Claims Tribunal. The challenge to the order of the Tribunal is only on the quantum of the compensation awarded. The appellant does not dispute the liability to pay compensation. The impugned order awards compensation of Rs.23,00,000/- to respondent no.1. On a query from the Court, Mr.

Joshi, the learned Advocate for the appellant states that the compensation is excessive by Rs.10,00,000/- and proper compensation would be of Rs.13,00,000/-. In view of the stand taken by the appellant, the applicant can be permitted to withdraw atleast Rs.13,00,000/- deposited in the Tribunal. The Civil Application is therefore partly allowed. The applicant is at liberty to withdraw Rs.13,00,000/- out of the amount deposited by the applicant in the Motor Accident Claims Tribunal, Satara.

(SMT. R.P. SONDURBALDOTA, J)