

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4151 OF 2017
IN
FIRST APPEAL NO.807 OF 2014

Smt.Indumati Shivaji Patil & anr. ... Applicants

Vs.

The Divisional Manager
The New India Assurance Co. Ltd. & Ors. ... Respondents

Ms.Gauri Jadhav for the Applicants
Mr.S.M. Dange for Respondent No.1 / Appellant in FA

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: DECEMBER 19, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. The application is moved for withdrawal of the amount of compensation deposited by the insurance company. The learned counsel for the applicant submits that till today, the applicant No.1 has withdrawn a sum of Rs.9,84,000/- in October, 2015 pursuant to the order dated 9.10.2015. She submits that thereafter as on today, approximately, an amount of Rs.18,44,000/- is accumulated and the applicant be allowed to withdraw the same for the purpose of her survival.

3. The learned Counsel for the insurance company submitted that the appeal is still pending.

4. In view of the submissions of the learned Counsel, it is directed that an amount of Rs.15 lakhs be reinvested in a Fixed Deposit of a nationalised bank and applicant No.1 is allowed to withdraw the quarterly interest accrued on the amount of Rs.15 lakhs, in the first week of every 4th month. This arrangement will be in force from 1st January, 2018. If more amount than Rs.15 lakhs is accumulated and available as on today, the same shall also be allowed to be withdrawn by applicant No.1, on furnishing usual undertaking to the satisfaction of the Registrar, Motor Accident Claims Tribunal, Satara.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)