

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 3440 OF 2015
IN
FIRST APPEAL NO. 1696 OF 2016

Bajaj Allianz General Insurance Company
Limited .. Applicant
vs.
Smt. Radha P. Lalwani and ors. .. Respondents

With
CIVIL APPLICATION NO. 2788 OF 2016
IN
FIRST APPEAL NO. 1696 OF 2016

Smt. Radha P. Lalwani .. Applicant
In the matter between
Bajaj Allianz General Insurance Company
Limited .. Applicant
vs.
Smt. Radha P. Lalwani and ors. .. Respondents

Ms Yogita Deshmukh i/b M.M. Sathaye for the Applicant-Bajaj Allianz General Insurance Company Limited.
Mr Rohit Joshi i/b Milind Panvelkar for Respondent Nos.1 to 3 in CA-3440-15 and for Applicant-Smt. Radha P. Lalwani in CA-2788-16.

CORAM : M. S. SONAK, J.
DATE : 10 JANUARY 2017.

P.C. :-

- 1] Heard learned counsel for the parties.

- 2] There shall be interim relief restraining the execution of the impugned award. This is because the applicant-Insurance Company has deposited before the MACT Kalyan, the entire awarded amount alongwith interest and costs. Out of such deposited amount, an amount of Rs.2.5 lakhs may be granted to Smt. Radha Lalwani, the widow of the person, who has died in the accident. Accordingly,

Smt. Radha Lalwani is permitted to withdraw an amount of Rs.2.5 lakhs from the concerned MACT without furnish of any security. It is pointed out that Smt. Radha Lalwani, apart from being aged 76 years, requires the amount to take care of her medical needs.

3] Accordingly, the civil application for stay and withdrawal are disposed of accordingly.

(M. S. SONAK, J.)

dinesh