

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL (ST.) NO. 27571 OF 2012
WITH
CIVIL APPLICATION NO. 3619 OF 2015
IN
FIRST APPEAL (ST.) NO. 27571 OF 2012**

Smt. Archana Rajesh Koyalkar & Ors. ...Applicants

Versus

New India Ass. Co. Limited. ...Respondent

.....
Mr.T.J.Mendon for the Applicants.

.....

**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: SEPTEMBER 26, 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. This Application is moved for withdrawal of an amount deposited by the insurance company/original appellant pursuant to the judgment and award dated 04.10.2011 passed by the Motor Accident Claims Tribunal,Mumbai, in M.A.C.P No.1446 of 2002.
3. The learned Counsel for the applicants submits that applicant no.1 is a widow of the deceased, applicant nos.2 and 3 are minor children and applicant no. 4 is a mother of the deceased.

4. Learned counsel for the applicants has served the respondent/insurance company, however, none appears for the respondent/insurance company.

5. Heard the learned Counsel for the applicants. For the reasons mentioned in the application, an amount of Rs. 3 lakhs is allowed to be withdrawn by applicant No.1 /widow of the deceased and Rs.50,000/- is allowed to be withdrawn by applicant No.4/mother of the deceased. The remaining amount shall be invested in a fixed deposit of a nationalised bank. The withdrawal shall be allowed after furnishing undertaking and personal bond in the said amounts.

6. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)