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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2763 OF 2017
IN
FIRST APPEAL (STAMP) NO.24825 OF 2015

Smt.Madhuri V. Mishra & Ors.Applicants

IN THE MATTER BETWEEN :

The New India Assurance Co. Ltd. ...Applicant

V/s.

Smt.Madhuri V. Mishra & Ors. ...Respondents

Ms.Rina Kundu for the Applicants.

Mr.D.R. Mahadik for the Insurance Company.

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 12TH SEPTEMBER, 2017.

P.C. :-

1. Not on board. Upon mentioning, taken on board.
 2. The application is moved for withdrawal of the amount.
- Learned counsel for the Insurance Company submits that the total amount of Rs.77,68,075/- is deposited by the Insurance Company. The Member, Motor Accident Claims Tribunal, Thane has passed an award in the sum of Rs.48,47,620/- with specific apportionment between all the claimants. In view of this, more or less 50% of the apportionment is allowed to be withdrawn, which is as follows :

- a). The applicant no.1 is allowed to withdraw the amount of Rs.13,00,000/-.
 - b). The applicant nos.2 and 3 are allowed to withdraw the amount of Rs.3,00,000/- each.
 - c). Leaned counsel for the applicants submits that the applicant no.4 i.e. the father has expired. Hence the applicant no.5 is allowed to withdraw the amount of Rs.6,00,000/-.
 - d). The remaining amount is to be invested in the nationalized bank as per usual terms.
3. Learned counsel for the Insurance Company submits that the respondent no.6 is the owner of truck, the case is dismissed against him.
4. The civil application is hereby disposed of.

(MRS.MRIDULA BHATKAR, J.)