

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2135 OF 2017
IN
FIRST APPEAL NO.1630 OF 2016

Smt.Mahadevi Harischandra Mali & Ors. ... Applicants

IN THE MATTER BETWEEN:

Solapur Municipal Corporation ... Appellant
Vs.

Smt.Mahadevi Harischandra Mali & Ors. ... Respondents

Mr.N.P. Hinduja h/f A.B. Tajane for the Applicants
Mr.Vijay Killedar for Appellant – Corporation

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: SEPTEMBER 7, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This Civil Application is filed for withdrawal of the amount of compensation deposited by the Appellant – Municipal Corporation in the Motor Accident Claims Tribunal, Solapur. The appellant – Municipal Corporation has deposited the decretal amount of Rs.8,99,988/- inclusive of NFL amount.
3. The learned Counsel for the applicants submits that the applicants have not withdrawn any amount except the NFL amount.

The applicant No.1 is a widow and the other applicants are the children.

4. The learned Counsel for the Appellant – Municipal Corporation is present.

5. For the reasons stated in the Civil Application and considering the submissions, the applicants are allowed to withdraw Rs.1 lakh each, upon furnishing usual undertaking before the Registrar, Motor Accident Claims Tribunal, Solapur. The remaining amount to be deposited in a fixed deposit with a nationalised bank till the disposal of the First Appeal.

6. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)