

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3442 OF 2017
IN
FIRST APPEAL ST. NO.8023 OF 2017

Sunita Purshottam Pawar & Ors. ... Applicant

IN THE MATTER OF:

The Oriental Insurance Co. Ltd. ... Appellant

Vs.

Sunita Purshottam Pawar & Ors. ... Respondents

Ms.Rina Kundu for the Applicant

Ms.Poonam Mittal for Appellant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **NOVEMBER 1, 2017**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. This application is moved for withdrawal of the amount of compensation of Rs.13,36,697/- including the interest accrued thereon, deposited by the appellant Insurance company in the Motor Accident Claims Tribunal, Thane.
3. It is an injury claim. The learned Member, had granted Rs.9,10,000/- under the award alongwith interest @ 7% p.a. and directed that an amount of Rs.5 lakhs to be kept in a fixed deposit in

the name of the applicant for a period of 10 years and the applicant was at liberty to withdraw a maximum amount of Rs.1 lakh on production of actual bill for purchase of limb. Be that as it may, it appears that the claimant's left hand is amputated above elbow joint.

4. Heard the learned Counsel for the parties. In view of the submissions, the applicant is allowed to withdraw an amount of Rs.3 lakhs alongwith interest accrued thereon.

5. The Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)