

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 3144 OF 2015
IN
FIRST APPEAL No. 1029 OF 2015

Smt. Radhabai Uddhav Kasbe & Ors.	... Applicants/
In the matter between	(Original Claimants)
M/s. Bajaj Alliance General Insurance Co. Ltd.	... Appellants
Vs.	
Smt. Radhabai Uddhav Kasbe & Ors.	... Respondents

Ms. Neelam Gupta h/f. Mr. S.R. Gupta, Advocate for the applicants.
Mr. M.M. Sathaye, Advocate for original appellant in First Appeal.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **29th August, 2017.**

P.C.:

This Application is moved for withdrawal of the amount deposited by the insurance company in the Tribunal. The learned Member, Motor Accident Claims Tribunal, Pune has passed the award of Rs.10,50,000/- with interest @ 9% from the date of filing of the Petition.

2. The learned counsel for the appellant/insurance company submitted that the insurance company has deposited Rs.15,30,000/- approximately. He submitted that the insurance company has good defence that the driver was not having licence at the time of accident.

3. The learned counsel for the applicants submitted that it is a death case and the wife, three minor children and mother were dependent on the deceased.

4. In view of the submissions, the wife of the deceased is allowed to withdraw Rs. 2,00,000/-; three minor children and mother of the deceased are allowed to withdraw Rs.1,00,000/- each on executing personal bond. The remaining amount is to be kept in the fixed deposit in any nationalized bank.

5. Civil Application is allowed.

(MRIDULA BHATKAR, J.)