

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3061 OF 2017
IN
FIRST APPEAL st. NO.3179 OF 2015

Shri Prakash Vishnu Karpe ... Applicant

IN THE MATTER OF:

New India Assurance co. Ltd. ... Appellant

Vs.

Prakash Vishnu Karpe & anr ... Respondents

Mr.T.J. Mendon for the Applicant
Mr.D.S. Joshi for Appellant-insurance company

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 4th OCTOBER, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This application is filed for withdrawal of the amount of compensation of Rs.2,92,332/- with interest @ 8% p.a., deposited by the Appellant / Insurance Company as per the judgment and award dated 20.8.2014 passed by the learned Member, Motor Accident Claims Tribunal, Sindhudurg, Oros.
3. Learned Counsel for the appellant / insurance company while opposing the application submits that the insurance company has

deposited the entire amount. However, it has a good defence on the ground of drunken driving as also quantum.

4. Heard. For the reasons stated in the Civil Application, it is allowed. The applicant is allowed to withdraw 50% of the amount deposited by the insurance company.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)