

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3435 OF 2017
IN
FIRST APPEAL st. NO.8016 OF 2017

Anitabai Roopsingh Chavan ... Applicant

IN THE MATTER OF:

The Oriental Insurance Co. Ltd. ... Appellant

Vs.

Anitabai Roopsingh Chavan & anr ... Respondents

Ms.Rina Kundu for the Applicant
Ms.Poonam Mittal for Appellant in FA

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: NOVEMBER 1, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. By this Civil Application, the applicant/original claimant seeks withdrawal of the decretal amount of compensation of Rs.1,10,563/- including interest accrued thereon, deposited by the insurance company.
3. The learned Counsel appearing for the appellant insurance company while opposing the Civil Application has submitted that the insurance company has a good case on merits.

4. This is an injury claim. The Motor Accident Claims Tribunal, Thane, has granted a sum of Rs.75,000/- to the applicant. The learned Counsel for the applicants submits that the applicant has not received any amount. In view of the submissions, the Civil Application is allowed. The applicant is allowed to withdrawn a sum of Rs.40,000/- alongwith interest accrued thereon, subject to furnishing a usual undertaking to the satisfaction of the Registrar, Motor Accident Claims Tribunal, Thane.

5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)