

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1980 OF 2017
IN
FIRST APPEAL NO. 1435 OF 2014

Narayan Anandrao Gatkal & Ors	...Applicants
<i>In the matter between</i>	
National Insurance Co Ltd	...Appellant
<i>Versus</i>	
Narayan Anandrao Gatkal & Ors	...Respondents

Mr R Mehta, i/b KMC Legal Venture, for the Appellant.
Mr Sagar Kursija, i/b TD Deshmukh, for Respondents Nos.1 & 2 /
Applicants.

CORAM: G.S. PATEL, J
DATED: 25th July 2017

PC:-

1. Having regard to the circumstances of the case, I am inclined to permit a withdrawal by the original Claimants, who have filed this Civil Application. The deceased was the son of the Applicants. He was working as a spray painter with Jai Bhawani Enterprises. He died when an Indica motor vehicle, in which he was travelling, overturned, causing him grievous injuries to which he ultimately succumbed.

2. The Motor Accident Claims Tribunal (“MACT”) took his income Rs.6,000/- and awarded a total compensation of Rs.13,21,000/-. Of this Rs.5,00,000/- has been already placed in a fixed deposit in the joint names of the Applicants Nos.1 and 2.

3. In view of this, I will permit the Applicants to withdraw 50% of the amount with accrued interest. The MACT will permit withdrawal on production of an authenticated copy of this order.

4. The statutory deposit of Rs.25,000/- be transferred to MACT and will be invested in a fixed deposit in any nationalised bank.

(G. S. PATEL, J.)