

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3481 OF 2016
IN
FIRST APPEAL (STAMP) NO. 18314 OF 2016
WITH
CIVIL APPLICATION NO. 4740 OF 2016
IN
FIRST APPEAL (STAMP) NO. 18314 OF 2016

ICICI Lombard General Insurance
Co. Ltd. .. Appellant
vs.
Smt. Bai Jaysingh Yavle & Ors. .. Respondents

Ms Deepika P. i/b. Res Juris for Applicant / Appellant.
Mr. Vinod Sangvikar i/b. Mr. U. R. Mankapure for Respondent Nos.
1 and 2.

CORAM : M. S. SONAK, J.
DATE: 10 JANUARY 2017

P.C :

1] By civil application no. 3481 of 2016, the appellant seeks stay of execution of the impugned award. Already, ad interim relief was granted on 9 August 2016. Since now, the appeal is admitted, the ad interim order is hereby confirmed.

2] Notwithstanding the order made in civil application no. 3481 of 2016, in this case, respondent no. 1 i.e. Smt. Bai Jaysingh Yavle is permitted to withdraw from the MACT, Satara, an amount of Rs.2,00,000/- (Rupees Two Lacs) from out of the awarded amount deposited by the appellant. This is because, Smt. Bai Jaysingh

Yavle is the widow of the deceased who expired in the motor accident. It is pointed out that she is 70 years of age and she requires the amount to take care for her medical needs. The MACT, therefore to permit withdrawal of Rs.2,00,000/- (Rupees Two Lacs) without insisting upon any security.

3] Both the civil applications are disposed of accordingly.

(M. S. SONAK, J.)

Chandka