

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2651 OF 2017
IN
FIRST APPEAL (St.) NO. 12869 OF 2015

Januashin Abbas Samim Hasaan Sayed & Anr. ... Applicants

in the matter between

The New India Assurance Co. Ltd. ... Appellant

Vs.

Januashin Abbas Samim Hasaan Sayed & Ors Respondents

Mr. T.J. Mendon, Advocate for the applicant.

Ms. Poonam Mital, Advocate for the appellant.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **6th September, 2017.**

P.C.:

Upon urgent mentioning, taken on production board.

2. This Application is filed by the applicants for withdrawal of the amount deposited by the insurance company.

3. By the order dated 25th November, 2014, the learned Chairman, Motor Accident Claims Tribunal, Mumbai has directed the opposite party and the insurer to pay compensation of Rs.4,10,000/- jointly and severally along with interest @ 7.5% p.a.

4. The learned counsel for the applicants submitted that the applicants are parents and dependent on the deceased.
5. The parents, i.e., mother and father of the deceased are allowed to withdraw Rs.1,00,000/- each on an usual undertaking. The remaining amount is to be deposited in the fixed deposit of any nationalized bank.
6. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)