

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 3766 OF 2017
IN
FIRST APPEAL NO. 433 OF 2016**

Smt. Chhaya Chandrakant Shegar & Ors. ...Applicants

Versus

National Insurance Company Limited
Mumbai Regional Office No. II ...Respondent

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Mr.Kuldeep U.Nikam for the Applicants.
Mr.Rahul Mehta i/b. KMC Legal Venture for the Original Appellant.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: NOVEMBER 28, 2017**

P.C. :

1. Upon urgent mentioning, taken on Production Board.
2. This Application is moved by the applicants/original claimants for withdrawal of an amount of Rs. 11,47,000/- along with interest @ 9% p.a. deposited by the insurance company/original appellant pursuant to the judgment and award dated 7th February, 2015 passed by the learned Member, Motor Accident Claims Tribunal, Sangli, in M.A.C.P. No. 104 of 2011.

3. The learned counsel for the applicants submitted that the applicants are the widow, three minor children, mother and widow sister of the deceased.
4. The learned counsel for the insurance company opposed this application.
5. The learned Member of the tribunal has apportioned the shares of each claimant. In view of the submission, applicant nos. 1, 5 and 6 are allowed to withdraw 50% of the amount of compensation alongwith interest accrued thereon on an usual undertaking.
6. Civil Application is allowed and is disposed of accordingly.

(MRIDULA BHATKAR, J.)