

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4148 OF 2017
IN
FIRST APPEAL NO.1139 OF 2015

Smt.Liladevi Vinodprasad Mandal & Ors. ... Applicants

IN THE MATTER OF:

United India Insurance Co. Ltd. ... Appellant

Vs.

Smt.Liladevi Vinodprasad Mandal & Ors. ... Respondents

Mr.D.S. Joshi for the Applicants

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: DECEMBER 19, 2017

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. Learned Counsel for the applicants submits that the appeal is already disposed off by this Court vide order dated 27.1.2017. However, he submits that *vide* order of the Tribunal dated 7.7.2015 passed by the learned Member, Motor Accident Claims Tribunal, Vasai, the application for withdrawal of the compensation amount deposited by the insurance company, was allowed. He submits that as on today, an amount of Rs.6,46,435/- plus interest, if any, and also a sum of Rs.27,247/- plus interest, if any, are lying with the Motor

Accident Claims Tribunal, Vasai and the same be allowed to be withdrawn. The learned Counsel submits that the entire amount is lying with the Motor Accident Claims Tribunal in the name of applicant No.1, who is the widow.

3. None appears for Insurance Company, though served. Service shown and the same is taken on record and marked 'X' for identification.

4. The appeal is already disposed of confirming the order of the trial Court. In view of the submission of the learned Counsel for the applicants, the applicants allowed to withdraw the amounts of Rs.6,46,435/- and Rs.27,247/- alongwith interest, if any, which are lying with the Tribunal. The applicant No.1/widow is allowed to withdraw on behalf of the children, who are the other applicants.

5. Civil Application is disposed of accordingly.

6. Parties to act on an authenticated copy of the order.

(MRIDULA BHATKAR, J.)