

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 4043 OF 2017
IN
FIRST APPEAL No. 1084 OF 2017

Smt. Manisha Tanaji Bhoir & Ors. ... Applicants
Vs.
IFFCO Tokio General Insurance Co. Ltd. ... Respondent

Mr. T.J. Mendon, Advocate for applicants.
Ms. Varsha Chavan, Advocate for the respondent.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 12th December, 2017.

P.C.:

Upon mentioning, taken on production board.

2. This Application is moved by the applicants/original claimants for withdrawal of the amount of compensation which was granted by the learned Member, Motor Accident Claims Tribunal, Raigad-Alibag in M.A.C.P. No. 122 of 2009 by judgment and award dated 24th August, 2016.

3. The learned counsel for the applicants submitted that the applicants are the widow, minor son and parents of the deceased. Therefore, they be allowed to withdraw the amount deposited by the

insurance company, as they need it for their survival.

4. Considering the facts of the case and the submissions, the original claimants, i.e., widow and parents of the deceased are allowed to withdraw 50% of the amount of compensation along with interest accrued thereon as per their entitlement, on an usual undertaking. The remaining amount is to be deposited in the fixed deposit in any nationalized bank.

5. Civil Application is allowed and is accordingly disposed of.

(MRIDULA BHATKAR, J.)