

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 46 OF 2018

IN

FIRST APPEAL NO. 45 OF 2017

The New India Assurance Company Ltd. Applicant
Versus
Smt. Maria Santana Fernandes & Ors. Respondents.

Mr. Amey Jagdish Sinai Kakodkar, Advocate for the Applicant.

Mr. Anthony D'silva, Advocate for the Respondent Nos.1 and 2.

***Coram : N.M. Jamdar &
Nutan D. Sardesai, JJ.***

Date : 1 October 2018.

P.C.:

By an order passed today the First Appeal is admitted. By this application the Applicant has sought stay of the impugned judgment and award.

2. Heard learned Counsel for the parties.

3. By the impugned judgment and award the Motor Accident Claim Tribunal has awarded an amount of Rs.2,13,03,000/- towards the compensation inclusive of 'no fault liability' and further directions regarding investments has been issued.

4. The learned Counsel for the respondents states that instead of investing the entire amount some amount should be allowed to be withdrawn by the respondents.

5. On the condition that the applicant to deposit the entire amount as awarded in the Registry of this Court within a period of Six weeks from today. Civil Application is allowed in terms of prayer clause (a).

6. Liberty to the respondents to take out an application for withdrawal of the amount so deposited which will be considered on its own merits.

7. The application is disposed of.

Nutan D. Sardesai, J.

N.M. Jamdar, J.