

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 690 OF 2018

IN

FIRST APPEAL NO. 95 OF 2017

MARIA SALVACAO ESPECIOSA FERNANDES
AND ANR.,

... Applicants

Versus

THE NEW INDIA ASSURANCE COMPANY
LTD. AND 2 ORS.,

... Respondents

Adv. Tarshish Leo Pereira for the Applicants.

Adv. Amey Jagdish Sinai Kakodkar for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 31st August 2018

P.C.:

This is an application for withdrawal of fifty percent of the amount of compensation deposited before this Court.

The deceased was a bachelor. The applicant no.1 is the mother and the applicant no.2 is the unmarried sister of the deceased. The Tribunal has granted a compensation of Rs.26,74,760/- along with interest at the rate of 9% per annum and the amount of compensation is directed to be apportioned equally between the applicants. At this stage the learned counsel for the applicants is seeking withdrawal of fifty percent of the amount to which Shri Kakodkar, the learned counsel for the respondent/insurance company has no objection. It is submitted that the applicant no.1

is aged 75 years and the applicant no.2 is also unemployed.

2. On hearing the learned counsel for the parties the following order is passed:

Order:

(i) The application is allowed.

(ii) The applicants are permitted to withdraw an amount of Rs.7,50,000/- (Rupees Seven lakhs fifty thousand only) each.

(iii) The remaining amount shall continue to be deposited in a Nationalized bank.

(iv) The civil application is disposed off in the aforesaid terms.

C. V. BHADANG, J.

ap/-