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

**CIVIL APPLICATION NO. 1695 OF 2018
IN
FIRST APPEAL (STAMP) NO. 9835 OF 2017**

Shri Vijay Sudam Shedge & Anr. .. Applicants
Vs.
Reliance General Insurance Co. Ltd. .. Respondent

Mr. Dhananjay D. Rananaware for the Applicants.
Ms. Deepika Prabhala I/b Res Juris for the Respondent

CORAM : K. K. SONAWANE, J.
DATE : 23rd JULY, 2018.

P. C. :

1. Heard learned Counsel for the applicants-original claimants and learned Counsel for the respondent-original appellant. No one appears on behalf of respondent No.3-owner of the offending vehicle. Perused Application.
2. Claimant moved the present application seeking permission to withdraw the decretal amount granted by the learned Motor Accident Claim Tribunal, Satara in the proceeding filed under Section 166 of the Motor Vehicles Act. In view of the reasons mentioned in the application as well as the ground of Appeal raised by Insurance Company, there is no impediment in allowing the applicants to withdraw a lump sum amount of Rs.5 lakhs on certain terms and conditions. It would subserve the purpose to protect the interest of the appellant-Insurance Company.

3. Accordingly, the application stands allowed.
4. The applicants are permitted to withdraw the total sum of Rs.5 lakhs from the decretal amount deposited by the appellant-Insurance Company in Motor Accident Claim Tribunal, Satara subject to condition that the applicants shall furnish an undertaking before the Tribunal that in case of any contingency arises, the applicants would refund the amount forthwith in the Motor Accident Claim Tribunal, Satara. Rest of the decretal amount deposited in Motor Accident Claim Tribunal, Satara be invested in Fixed Deposits account in any nationalized bank for period of two years or till the disposal of the appeal on merits whichever is earlier with liberty of renewal of FDR in future, if any.

[K. K. SONAWANE, J.]