

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

**CIVIL APPLICATION NO.1538 OF 2018
IN
FIRST APPEAL (STAMP) NO.25145 OF 2015**

Sunanda Shankarrao Gurav & Ors. ...Applicants

Versus

Bajaj Alliance General Insurance
Company Ltd. ...Respondent

.....

Ms Rekha Musale i/b. Rajesh A. More for the Applicants.
Ms Yogita Deshmukh i/b. Mr. Milind M. Sathaye for the Respondent.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 18th APRIL, 2018.

P.C.:-

The Applicants, who are the original claimants have sought withdrawal of the amount deposited by the Respondent-Insurance Company as per the judgment and award dated 17th January, 2015 passed by the M.A.C.T., Malshiras in Claim Petition No.9 of 2010.

2. The challenge is mainly to the quantum of compensation awarded by the Tribunal. Having considered the ground raised in the appeal and also considering the fact that Applicant No.1 is suffering from cancer, an amount equivalent to 20% of the total compensation is ordered to be paid to each of the Applicants.

3. It is made clear that the payment is subject to the final outcome of the appeal. The Applicants shall give an undertaking before the Tribunal that they shall abide by the order that may be passed in the appeal.

4. The Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)