

Anand

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

**CIVIL APPLICATION NO. 1615 OF 2018
IN
FIRST APPEAL (ST) NO. 23637 OF 2017**

Smt. Vandana Anil Pawar & ors. .Applicants

Vs.

Reliance General Insurance Company Ltd. .Respondent

Mr. U. B. Nighot, Advocate, for the Applicants

Mr. R. Mehta i/b. KMC Legal Venture, Advocate, for the Respondent

CORAM : V.M.DESHPANDE, J.

DATE : 11.07.2018

P.C.

. This is an Application filed on behalf of the Claimants for withdrawal of the amount. Mr. Nighot, learned counsel for the Claimants states that the learned Member, Motor Accident Claims Tribunal, Pune on 29.03.2017 has partly allowed the Application No. 569 of 2013 thereby directing the opponents therein to pay jointly and severally compensation of Rs. 6,71,000/- alongwith interest @ 9% p. a.. Mr. Mehta, learned counsel for the Insurance Company states that the Insurance Company has already deposited the entire amount before the M. A. C. T., Pune.

2. After hearing both the parties, I pass the following order.

O R D E R

- (i) The Application is partly allowed;
- (ii) The Applicants will be entitled to withdraw 50% of the amount from and out of the amount so deposited before the Court on Applicants giving an undertaking before the said Court that in case, the Appeal filed by the Insurance Company is allowed, then in that event, the Applicants will refund the amount which they have withdrawn alongwith the interest which shall be determined by this Court within a period of three years from the date of the Judgment of this Court;
- (iii) The remaining amount shall be invested by the Court below in any Nationalized Bank initially, for a period of three years and shall continue to do the same as & when occasion arises to save loss of interest;
- (iv) The Application is disposed of.

(V.M.DESHPANDE, J.)