

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

**CIVIL APPICATION NO. 2967 OF 2015
IN
FIRST APPEAL NO. 1393 OF 2013**

Geeta Vasant Sutar & Ors.	Applicants
<u>In the matter between :-</u>	
National Insurance Company Ltd.	Appellant
V/s.	
Geeta Vasant Sutar & Ors.	Respondents

M/s. KMC Legal Venture for the appellant.
Mr. Sanjay Ghaisas for R.Nos.1 to 3 and for Applicant in
CAF 2967/2015.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 04th APRIL, 2018.**

P.C.:

. The applicants herein who are the original claimants have sought withdrawal of the amount deposited by the appellant / insurance company before the Tribunal of Vehicle Accident Cases, Raigad-Alibaug.

2. By judgment and award dated 13th March, 2013 passed by the Tribunal of Vehicle Accident Cases (VAC), Raigad-Alibaug in Vehicle Accident Application No. 609 of 2007, the learned Chairman, MACT has directed to pay Rs.8,42,000/- to the applicant nos.1 and 2 herein @ 7.5 % per annum from the date of application till payment.

3. I have considered the grounds raised in the appeal and having heard the learned counsel for the appellant, an amount equivalent to 20% of total compensation alongwith proportionate interest is ordered to be paid to each of applicant nos.1 and 2 and 10% of the total compensation alongwith proportionate interest be paid to the applicant no.3. The balance amount be deposited in the names of the respective claimants till the disposal of appeal on merits.

4. It is made clear that the payment is subject to final outcome of the appeal. The applicant nos.1, 2 and 3 (*respondents in appeal*) shall give an undertaking before the Chairman, VAC, Raigad-Alibaug that they will abide by the order that may be passed in the appeal.

5. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)