

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

**CIVIL APPLICATION NO. 129 OF 2016
IN
FIRST APPEAL NO.60 OF 2016**

SBI General Insurance Co. Ltd. ..Applicant
v/s.

Smt. Pramila Ashok Jadhav & Ors. ..Respondents

Mr. Milind Sathaye for the Applicant/Appellant
Mr. Dilip Bodake for the Respondent Nos.1 to 3.
Mt.V.S.Talkute for the Respondent No.6.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 14TH MARCH, 2018.**

P.C.

1. Heard.
2. The respondents herein were the claimants in Motor Accident Petition No.469 of 2013. By award dated 18th May, 2015 the Motor Accident Claim Tribunal has awarded compensation of Rs.15,77,500/- inclusive of no fault liability, with interest at the rate of 6% per anum.
3. The respondent no.1, who is the widow of the deceased, is awarded compensation of Rs.4,27,500/- with proportionate interest,

out of which Rs.3 lakhs with proportionate interest was ordered to be invested in any nationalized bank and the amount of Rs.1,27,500/- with proportionate interest was ordered to be paid to the respondent no.1.

4. The respondent nos.2 and 3 are the minor children of the deceased. An amount of Rs.5 lakhs each with proportionate interest was awarded in their favour, and they being minors, the said amount was directed to be invested in any nationalized bank. The respondent no.5 being the mother of the deceased has been awarded Rs.1 lakh.

5. The Insurance Company has challenged the said award dated 18th May, 2015. The learned Counsel for the applicant submits that the applicant has already deposited the amount of Rs.17,29,480/- before the MACT, Satara. Since the amount has already been deposited the Tribunal is directed to pay Rs.1,27,500/- and Rs.1,00,000/- with proportionate interest thereon to the respondent nos.1 and the respondent no.5 respectively. The Tribunal shall invest the balance amount as indicated in the operative part of the impugned award.

6. Payment of compensation pending appeal is subject to the final outcome of the appeal. The respondent nos.1 and 5 shall file an undertaking before the MACT that they will abide by the final orders that may be made in this appeal.

7. Civil Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)