

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

**CIVIL APPLICATION (ST.) NO. 27152 OF 2016
IN
FIRST APPEAL (ST.) NO. 9630 OF 2016**

Usha Mohan Patil & Anr.	Applicants
<u>In the matter between :-</u>	
The New India Insurance Company	Appellant
V/s.	
Usha Mohan Patil & Ors.	Respondents

Mr. Pramod Bhosale and Mr. Sharad Bhosale for the applicants.
Mr. D.S. Joshi for the appellant / insurance company.

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

P.C.:

- . Heard the learned counsels for the respective parties.
2. By this application, the applicants have sought to withdraw the amount deposited by the appellant / insurance company before the MACT, Sangli.
3. By judgment and award dated 10th August, 2015 passed by the District Judge-1 & Member, Motor Accident Claims Tribunal, Sangli in MACP No. 77 of 2014, the Claims Tribunal has awarded compensation of Rs.7,44,000/- with interest @ 7.5% per annum to the respondent

nos.1 & 2 herein from the date of filing of petition till realization of the amount.

4. Having considered the grounds raised in the appeal and having heard the learned counsels for respective parties, in my considered view, out of the total compensation of Rs.7,44,000/-, Rs.1,50,000/- each is ordered to be paid to the applicant nos.1 and 2, being his mother and brother of the deceased-Abhijit Patil alongwith proportionate interest accrued thereon. The balance amount be equally invested in the name of applicant no.1-Usha Mohan Patil and applicant no.2-Ranjit Mohan Patil, in any nationalized bank till the disposal of appeal.

5. It is made clear that the payment is subject to the final outcome of the appeal. The applicant nos.1 and 2 (*respondents in appeal*) shall give an undertaking before the Tribunal that they will abide by the order that may be passed in the appeal.

6. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)