

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

**CIVIL APPLICATION NO.4277 OF 2012
IN
FIRST APPEAL NO.2108 OF 2011**

Shri Pratap Pandurang Rane ... Applicants

IN THE MATTER OF

The Secretary
Maharashtra State Road
Transport Corporation ... Appellant

Vs.

Shri Pratap Pandurang Rane ... Respondent

Mr.T.J. Mendon, for Applicant
Mr.P.G. Lad with Sayli Apte for the Appellant

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: FEBRUARY 21, 2018**

P.C. :

1. This application is moved for withdrawal of the amount of compensation deposited by the appellant pursuant to the judgment and award dated 23.3.2010 passed by the learned member, Motor Accident Claims Tribunal, Mumbai in MACP No.730 of 1999. The Tribunal has granted a compensation of Rs.11,94,440 with interest @ 7.5% p.a.

2. The learned Counsel appearing for the applicant submits that except the amount under NFL, no amount is withdrawn by the applicants till today.
3. The learned Counsel appearing for the respondent i.e., the original appellant/MSRTC that the amount to be withdrawn be permitted with some security.
4. Perused the judgement. Considered the injuries and the medical expenses of the injured claimant. In the circumstances, the application is allowed and the applicant is allowed to withdraw 50% of the principal amount alongwith interest accrued thereon, upon furnishing a usual undertaking.
5. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)