

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 292 OF 2019

IN

FIRST APPEAL NO. 125 OF 2018

BIBIHAJARANAN ABDULNABI KUNDUR AND
ANR.,

... Applicants

Versus

RELIANCE GENERAL INSURANCE COMPANY
LTD.,

... Respondent

Adv. Preetam Talaulikar for the Applicants.
Adv. Ms. Gauri Borkar holding for Adv. Suraj Rohidas Naik for
the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 26th April 2019

P.C.:

This is an applciaiton for withdrawal of 50% of the amount of compensation deposited by the respondent/insurance company (the original appellant). The applicant no.1 is the widow, while the applicant no.2 is the minor son of the deceased. The Tribunal has awarded Rs.16,99,150/- as compensation along with 9% interest p.a. from the date of petition till realization. The Tribunal has apportioned the amount in equal proportion between the applicants. Thus out of the principal amount,awarded, the applicant no.1 is entitled to approximately Rs.8,50,000/-.

2. The learned counsel for the respondent states that in the event this court allows withdrawal of part of the compensation, the interest of the respondent be secured by directing the applicants to furnish an undertaking, to bring back the amount, if so ordered by this Court.

3. In the result, the following order is passed:

ORDER:

(i) The applicant no.1 is permitted to withdraw an amount of Rs.4,25,000/- (Rupees four lakhs twenty five thousand only) subject to the usual undertaking to bring back the amount if so ordered by this court, to be furnished, before the Registrar (Judicial) of this Court.

(ii) The civil application is disposed off.

C. V. BHADANG, J.

ap/-