

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 293 OF 2019

IN

FIRST APPEAL NO. 126 OF 2018

HASMATHABI SHIRGODE AND 3 ORS., ... Applicants

Versus

RELIANCE GENERAL INSURANCE COMPANY
LTD., ... Respondent

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

Coram:- C. V. BHADANG, J.

Date:- 26th April 2019

P.C.:

This is an application for withdrawal of 50% of the amount of compensation deposited by the respondent (original appellant).

2. The applicant no.1 and 2 are the parents, while the applicant nos.3 and 4 are respectively the sister and brother of the deceased. The Tribunal has awarded compensation of Rs.13,17,500/- along with interest at the rate of 9% p.a. from the date of the petition till realization.

3. A perusal of the operative part of the award dated 10/6/2014 shows that each of the applicants are entitled to get 25% of the

amount of compensation. The learned counsel for the applicant states that the applicant nos 3 and 4 have since attained majority.

4. 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.

5. In the result the following order is passed:

(i) The applicants are permitted to withdraw Rs.1,75,000/- each from out of the amount deposited before this court, subject to the usual undertaking being furnished before the Registrar (Judicial) of this Court.

(ii) The civil application is disposed off.

C. V. BHADANG, J.

ap/-