

**IN THE HIGH COURT OF BOMBAY AT GOA**

MISC.CIVIL APPLICATION NO. 658 OF 2019

IN

FIRST APPEAL NO. 54 OF 2017

MONICA VITHAL KANEKAR.,

... Applicant

Versus

NATIONAL INSURANCE CO. LTD., THR.  
ITS MANAGER.,

... Respondent

Mr. Ganesh R. Naik, Advocate for the Applicant.

Ms. A. Godinho, Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 31st July, 2019

P.C.

This is an application for withdrawal of an amount of Rs.5 lakhs, out of the compensation deposited by the respondent (original appellant).

2. By an award dated 09.12.2016, the Tribunal has awarded a compensation of Rs.11,12,500/- to each of the original claimants. The respondent (original appellant) has deposited an amount of Rs.28,02,898/- on 17.07.2017.

3. The applicant is seeking withdrawal of an amount of Rs.5 lakhs for her own maintenance and for education expenses of her minor son.

4. The appeal filed by the respondent is primarily challenging the quantum of the compensation.

5. Considering the overall circumstances, the applicant is permitted to withdraw an amount of Rs.5 lakhs, deposited by the respondent before this Court, subject to the applicant furnishing usual undertaking before the learned Registrar (Judicial) of this Court. The balance amount shall continue to stay invested in a Nationalised Bank.

6. The Civil Application is disposed off.

C. V. BHADANG, J.

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