

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

**CIVIL APPLICATION NO. 2880 OF 2019
(for withdrawal of amount of compensation)
IN
FIRST APPEAL NO. 1198 OF 2016**

Smt. Ashwini Shankar Lad & Ors. ...Applicants

IN THE MATTER BETWEEN :

Shriram General Insurance Company Ltd. ...Appellants

Versus

Smt. Ashwini Shankar Lad & Ors. ...Respondents

.....

Mr. Sarthak Diwan i/b Mr. A P. Shinde for Appellants.

Mr. Nikhil Mehta i/b KMC Legal Venture for Respondent Nos.1 to 4.

Mr. Nikhil Pawar for Respondent No.5.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 20th AUGUST, 2019.**

P.C. :

1. The applicants who are the original claimants have sought withdrawal of compensation deposited by the appellants/Insurance Company in compliance with the impugned Judgment and Award dated 21st July, 2016 in Motor Accident Claim Petition No.127 of 2010 passed by the learned Member of Motor Accident Claim Tribunal at Kolhapur.
2. By the Impugned Judgment and Award, the Tribunal has awarded compensation of Rs.5,87,500/- along with interest at the rate of 7% per annum from the date of filing of the Petition

till final realization.

3. The applicants have stated that the deceased Shankar Shamrao Lad was the sole earning member and thus they have no other source of income. They have stated that they require the money to meet their day to day expenses and also to meet the educational expenses of applicant Nos.2 and 3.
4. Considering the reasons stated in the application and the grounds raised in the Appeal Memo, an amount of Rs. 1 Lakh is ordered to be paid to the applicant No.1, Rs.75,000/- to the applicant No.2 and Rs.50,000/- to the applicant No.3 to meet their day to day expenses and educational expenses.
5. It is made clear that payment of the amount is subject to the final outcome of the appeal.
6. The applicant shall furnish an undertaking before the Tribunal that they will abide by the final orders that may be passed in the Appeal.
7. The M.A.C.T. to re-invest the balance amount in any Nationalized Bank after making payment as stated above.
8. Civil Application stands disposed of.
9. The learned Counsel for the Insurance Company seeks leave to file compilation of documents. Compilation of documents to be filed in the Registry within two weeks with copy to other side.

Appeal be listed for admission on 11Th September 2019.

(SMT. ANUJA PRABHUDESSAI, J.)