

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 922 OF 2019
IN
FIRST APPEAL (st) NO. 6727 OF 2018
FIRST APPEAL(ST) NO. 6727 OF 2018

Smt. Shobha Somnath Rukari ..Applicant

v/s.

National Insurance Co. Ltd. ..Respondents

Mr. Pritesh Bohade for the Applicants-Original Claimants.
Mr. P.A. Narayanan for the Respondent-Insurance Co.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 08th MARCH, 2019.

P.C.

1. By this application, the applicant-Original Claimants have sought withdrawal of the compensation deposited by the Insurance Company as per the judgment and award dated 20th June, 2017 in MACP No.795 of 2013 passed by the MACT, Nashik.
2. By the impugned judgment and award, the MACT Nashik, has awarded compensation of Rs.3,69,500/- with interest at the rate of 6% per anum from the date of application till realization.

3. The learned Counsel for the respondent states that the respondent insurance company has deposited the total compensation of Rs.4,49,771/- which is inclusive of interest.
4. Considering the reasons stated in the application, 25% of the total compensation deposited along with proportionate accrued interest thereon is ordered to be paid to the applicant No.1. Applicant nos.2 and 3 are stated to be minors and hence no amount is allowed to be withdrawn on their behalf.
5. The MACT, to re-invest the balance amount until further orders, in any nationalized bank after making the payment as stated above.
6. The applicant no.1 shall furnish an undertaking before the tribunal that he/she will abide by the final orders that may be passed in this appeal.
7. It is made clear that the payment of the amount is subject to the final outcome of the appeal.
8. Civil application stands disposed of.

(ANUJA PRABHUDESSAI, J.)