

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

**CIVIL APPLICATION (ST.) NO. 2414 OF 2018
IN
FIRST APPEAL (ST.) NO. 27671 OF 2017**

Vaibhav Vasant RananawareApplicant

In the matter between :-

Iffco Tokyo General Insurance Co.Appellant
V/s.

Vaibhav Vasant Rananaware & Ors.Respondents

Mr. N.V. Bhutekar for the applicant in CAF 3769/2017
and for the appellant in FAST 27671/2017 and for
respondent no1 in CAFST 2414/18.

Mr. J.J. Bardeskar for R.No.1 and for the applicant in
CAFST 2414/2018.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 27th FEBRUARY, 2019.**

P.C.:

. Heard the learned counsels for the respective parties.

2. By this application, the applicant has sought to withdraw the amount deposited by the appellant / insurance company before the MACT, Kolhapur.

3. By judgment and award dated 03/01/2017 passed by the Member, MACT, Kolhapur in M.A. Claim No.489/2013, the Tribunal

has awarded compensation of Rs.25,00,000/- inclusive of no fault liability with interest @ 9% p.a. from the date of filing of petition till its realization.

4. The respondent / insurance company has deposited an amount of Rs.34,18,476/- which is inclusive of interest awarded by MACT, Kolhapur.

5. Considering the grounds stated in the application as well as the grounds raised in the appeal, 50% of the compensation along with proportionate interest accrued thereon is ordered to be paid to the claimant / applicant – Vaibhav Vasant Rananavare. The Tribunal to invest the balance amount in any nationalized bank till the disposal of the appeal.

6. It is made clear that the payment is subject to the final outcome of the appeal. The applicant shall give an undertaking before the Tribunal that he shall abide by the order that may be passed in the appeal.

7. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)