

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

**CIVIL APPLICATION (ST.) NO.8409 OF 2018
IN
FIRST APPEAL NO. 691 OF 2018**

Akshata Swapnil Gawde

....Applicant

In the matter between :-

Reliance General Insurance Co. Ltd.

....Appellant

V/s.

Akshata Swapnil Gawde & Anr.

....Respondents

Mr. Rahul Mehta i/b. KMC Legal Venture for the applicant
in CAF 1458/2018 and in FA 691/2018 and for the respondents
in CAFST 8409/2018.

Mr. S.S. Vidyarthi for R.No.1 and for the applicant in
CAFST 8409/2018.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 06th 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, Mumbai.

3. By impugned judgment and award dated 12/07/2017 passed by the Chairman, MACT, Mumbai, in MACP No.1409 of 2013, the Tribunal has awarded compensation of Rs.57,47,071/- inclusive of no

fault liability to the applicant along with interest @ 8% p.a. from the date of application till realization.

4. Having considered the grounds raised in the appeal and application, in my considered view, 50% of the total compensation alongwith interest accrued thereon is ordered to be paid to the applicant – Akshata Swapnil Gawade. The Tribunal to invest the balance amount in any nationalized bank till the disposal of the appeal.

5. 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 they shall abide by the order that may be passed in the appeal.

6. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)