IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2693 OF 2019
IN
FIRST APPEAL NO.1087 OF 2019

United India Insurance Company Limited ... Appellant/ Applicant
V/s.
Farida A. Medhora and ors. ... Respondents

Ms Varsha Chavan for the Appellant/Applicant.
Dr. Abhinav Chandrachud I/b A.K. Saxena & K.N. Tavakulli for respondent Nos.1,3 and 4.

CORAM : AKIL KURESHI, &
S.J.KATHAWALLA, JJ.
DATE : 30.08.2019.

P.C.:

1] Rule. Learned Counsel waives service of Rule on behalf of respondent Nos. 1, 3 and 4, i.e., original claimants. Service to respondent No.2 is not necessary.

2] On condition that the applicant – insurance company deposits the entire amount of compensation awarded by the Motor Accident Claims Tribunal with proportionate costs and interest on or before 5.10.2019, there shall be a stay against the execution and implementation of the impugned award.

3] Upon such deposit, the Claims Tribunal shall release 25% thereof in favour of the respondent - mother of the deceased through account payee cheque. Rest of the amount shall be invested in any Nationalised Bank in a recurring fixed deposit initially for a period of 5 years, to be renewed from time to time till final disposal of the appeal or till further orders. The interest accruing on such fixed deposit may be released periodically every quarter to respondent No.1. The amount of Rs.25,000/- deposited by the insurance company before this Court may be transmitted to the Claims Tribunal.

4] With these directions, Civil Application is disposed of. Rule made absolute.

(S. J. KATHAWALLA, J.) **(AKIL KURESHI, J.)**