

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2492 OF 2019
IN
FIRST APPEAL NO.1486 OF 2016

Raghunath V. Karnik ..Applicant

v/s.

United India Insurance Co. & Anr. ..Respondents

Mr.D.S.Mhaispurkar for the Applicants-Original Claimants.

Mr. Amol Gatne for the Respondent-Insurance Co.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 5th AUGUST, 2019.

P.C.

1. By this application, the applicant-Original Claimants in MACP No. 23 of 2002 has sought withdrawal of the compensation deposited by the Appellant Insurance Company in compliance with the judgment and award dated 17th March, 2016. By the impugned judgment, the Tribunal has awarded compensation of Rs.8,13,000/- with interest at the rate of 7% per anum from the date of petition till realization.

2. The applicant has stated that he and his wife had sustained injuries in the said accident which has resulted in permanent

disablement. The applicant has stated that due to the injuries sustained in the said accident, his wife is unable to climb two floors and that he wishes to buy a new flat in the building having lift facility. It is further states that the applicant is having daughter of marriageable age and he needs money for the said purpose. Considering the ground stated in the application, as well as the grounds raised in the appeal memo, 50% of the compensation awarded alongwith proportionate interest accrued thereon is ordered to be disbursed to the applicant. Suffice it to say that the applicant shall furnish an undertaking before the tribunal that he will abide by the final orders that may be passed in this appeal.

3. The MACT, to re-invest the balance amount in the names of the respective applicant, in any nationalized bank after making the payment as stated above.

4. It is made clear that the payment of the amount is subject to the final outcome of the appeal.

5. Civil application stands disposed of.

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(ANUJA PRABHUDESSAI, J.)