

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2493 OF 2019
IN
FIRST APPEAL NO. 1489 OF 2016

Radhika Raghunath 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. 6 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.9,24,000/- with interest at the rate of 7% per anum from the date of petition till realization.

2. The applicant has stated that she and her husband had sustained injuries in the said accident which have resulted in

permanent disablement. The applicant has stated that due to the injuries sustained in the said accident, she is unable to climb two floors and that they 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 they needs money for the said purpose. Considering the grounds 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 she will abide by the final orders that may be passed in this appeal.

3. The MACT, to re-invest the balance amount in the name 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.

Prasanna
P.
Salgaonkar

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(ANUJA PRABHUDESSAI, J.)