

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

**CIVIL APPLICATION NO. 777 OF 2019
IN
FIRST APPEAL NO. 1000 OF 2016**

Smt. Gulabbai Gurunath Gaikar & Ors. ..Applicants

v/s.

M/s. Anand Transport Co. & Anr. ..Respondents

Mr.S.V.Sonawane a/w. Ms. Trisha Singh for the Applicants-Original Claimants.

Mr. D.S.Joshi for the Respondent-Insurance Co.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 08th MARCH, 2019.**

P.C.

1. By this application, the applicant-Original Claimants have sought withdrawal of the compensation amount deposited by the Insurance Company as per the judgment and award dated 16th December, 2015 in MACP 101 of 2010, passed by the MACT Kalyan.

2. By the impugned judgment and award, the MACT, Kalyan, has directed the respondent-Insurance Company to pay an amount of

Rs.23,91,877/- to the claimants within interest at the rate of 9% per anum.

3. Considering the grounds stated in the application, as well as the grounds raised in the appeal, 50% of the total compensation deposited along with appropriate interest accrued thereon is ordered to be paid to the applicants as under:

(i) 20% of the Compensation amount along with proportionate interest accrued thereon be paid to the applicant no.1.

(ii) 10% each of the total Compensation amount along with proportionate interest accrued thereon be paid to the applicant nos.2, 3 and 4.

4. The applicants shall furnish an undertaking before the tribunal that they will abide by the final orders that may be passed in this appeal.

5. The MACT, to re-invest the balance amount in the names of the respective applicants, in any nationalized bank after making the

payment as stated above.

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

7. Civil application stands disposed of.

(ANUJA PRABHUDESSAI, J.)