

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 279 OF 2019
IN
FIRST APPEAL NO. 304 OF 2018

Mr. Jagdish Vishwanath Pimple

..Applicant/ Org.
Respondent no.1

In the matter between

Reliance General Insurance Co. Ltd.

..Appellant

v/s.

Mr. Jagdish Vishwanath Pimple & Ors.

..Respondents

Mr. Nikhil Mehta I/b. KMC Legal Venture for the Appellant.

Mr. Ravi Shinde for the Applicant-Respondent No.1.

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 deposited by the Insurance Company as per the judgment and award dated in MACP No. 41 of 2010, passed by the MACT, Pune.
2. By judgment and award dated 20th July, 2017, the MACT, Pune,

has directed the respondent-Insurance Company to pay an amount of Rs.27,00,200/- to the claimants with interest at the rate of 9% per anum. The MACT has ordered that 60% of the compensation should be paid to the applicant no.2 and 40% to the applicant no.1.

3. The applicant no.2 has already expired.

4. Considering the reasons stated in the application, as well as the grounds raised in the appeal memo, the MACT, Pune is directed to pay 20% of the total compensation deposited by the respondent Insurance Company along with proportionate interest accrued thereon to the applicant no.1. The applicant shall furnish an undertaking before the tribunal that he will abide by the final orders that may be passed in this appeal.

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

6. Civil application stands disposed of.

(ANUJA PRABHUDESSAI, J.)