

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4423 OF 2018
IN
FIRST APPEAL NO.98 OF 2019

Ashok Pandit Mahale

..Applicants

v/s.

Shriram General Insurance Co. Ltd. & Anr.

..Respondents

Mr. Pritesh Bohade for the Applicant

Mr. Nikhil Mehta I/b. KMC Legal for the Respondent no.1-Insurance Co. .

Mr. Swapnil Walve for the Respondent No.2..

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 in compliance of the judgment and award dated 23rd June, 2016 in MACP No. 807 of 2012 passed by the MACT, Nashik.
2. By the impugned judgment and award, the MACT, Nashik, has directed the respondent-Insurance Company to pay an amount of Rs.10 lakhs to the claimants within interest at the rate of 7% per

annum.

3. Mr. Mehta, the learned Counsel for the Respondent no.1- Insurance Company states that in compliance of the said judgment and award, the Insurance Company has deposited an amount of Rs.12,71,373/- which is inclusive of interest.

4. Considering the grounds stated in the application, as well as the grounds raised in the appeal, 50% of the amount deposited is directed to be paid to the applicant-original claimant. 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. The MACT, to re-invest the balance amount 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.)