

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1 OF 2019
(for withdrawal)

in

FIRST APPEAL NO.1654 OF 2016
with CIVIL APPLICATION NO.4730 OF 2016
Sampat Jagu Chavan & anr .. Applicants

IN THE MATTER OF

Shriram General Insurance Company Ltd .. Appellant

vs

Sampat Jagu Chavan & 3 ors .. Respondents

...

Mr.Nikhil Mehta I.b M/s KMC Legal Venture for Appellant
in FA No.1654/2016 and C.A.No.4730/2016 and for
Respondent in IA No.1/2019

Mr.R.V.Sankpal for Applicant in IA No.1/2019 and
for Respondent nos.1 and 2 in FA No.1654/2016

CORAM : SMT.ANUJA PRABHUDESSAI,J

DATE : 9th OCTOBER, 2019

P. C.

1. The applicants herein has sought withdrawal of compensation awarded by the Claims Tribunal, Satara in M.A.C.P.No.18 of 2012.

2. By the impugned judgment and award dated 5.8.2016 the Claims Tribunal has awarded a total compensation of Rs.6,11,000/- with interest at 7.5 % p.a. from the date of the application till final realization. The applicants are the parents of the deceased. The

applicants have stated that they have no other source of income. They are in need of money for day-to-day expenses including medical expenses of the applicant no.2.

3. Considering the reasons stated in the application, as well as the grounds raised in the Appeal Memo, 50 % of the compensation with proportionate interest accrued thereon, is ordered to be paid to the applicants subject to filing an undertaking that they shall refund the said amount, with proportionate interest thereon in the event the Appellants succeeds in the appeal. The balance amount be re-invested in any nationalized bank until further orders.

4. Learned counsel for the applicants states that statutory amount has not been transferred despite order dated 30.11.2016.

5. Registrar (Judicial) to ensure compliance of the said order.

6. Interim Application stands disposed of.

(Smt.Anuja Prabhudessai, J)

