

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

**CIVIL APPLICATION NO. 532 OF 2019
IN
FIRST APPEAL (ST.) NO. 32437 OF 2017**

Kamalbai Raghunath Korade & Ors.Applicants

In the matter between :-

National Insurance Co. Ltd.Appellant

V/s.

Kamalbai Raghunath Korade & Ors.Respondents

Mr. Amol Gatne for the applicant in CAF 4079/2017 and
CAF 4080/2017 and for appellant in FAST 32437/2017
and for respondent in CAF 532/2019.

Mr. Rahul Motkari for the applicant in CAA 532/2019 and
for R.Nos.1 to 5 in CAF 4079/2017 and CAF 4080/2017 and
FAST 32437/2017.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 06th FEBRUARY, 2019.**

P.C.:

. Heard the learned counsels for the respective parties.

2. By this application, the applicants have sought to withdraw the amount deposited by the appellant / insurance company before the MACT, Niphad, Nashik.

3. By judgment and award dated 04/08/2016 passed by the Member, MACT, Niphad in MACP No.114 of 2009, the Tribunal has awarded compensation of Rs.14,28,000/- with interest @ 7% per

annum from the date of filing of petition till realization of the amount.

4. Having considered the grounds raised in the appeal and application, 50% of total compensation alongwith proportionate interest accrued thereon is ordered to be paid equally to the applicant nos.1 to 5. The Tribunal to invest the balance amount in any nationalized bank till the disposal of the appeal.

5. It is made clear that the payment is subject to the final outcome of the appeal. The applicants shall give an undertaking before the Tribunal that they shall abide by the order that may be passed in the appeal.

6. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)