

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1234 OF 2019

in

FIRST APPEAL NO.506 OF 2018

Smt Kamal Sandip Pawar & ors

.. Applicants

IN THE MATTER OF

L & T Insurance Co Ltd

.. Appellant

vs

Smt Kamal Sandip Pawar & ors

.. Respondents

Mr.R.V.Sankpal with Ms.Laxmi Sankpal Ms.Shirin Irani and Ms.Bhagyashri Vishal for Applicants and Respondent no.1

in FA No.506/2018

Mr.Abhijit Kulkarni for Respondent in CA No.1234/2019

and for Appellant in FA No.506/2018

CORAM : SMT ANUJA PRABHUDESSAI, J

DATE : 9th October 2019

P. C.

1. The applicant herein has sought leave to withdraw the compensation granted by the Claims Tribunal, Satara in M.A.C.P. No.437 of 2013.

2. By the impugned judgment and award, the Claims Tribunal has awarded a total compensation of Rs.20,47,500/- with interest at 7.5 % p.a. from the date of the application till final realization of the amount.

3. The applicant no.1 is a widow and applicant no.4 is the father of the deceased-Sandip Pawar. The appellants have stated that they were

dependent on the income of the deceased and that they have no other source of income. The applicants have stated that they are in need of money to meet day-to-day expenses.

4. Considering the reasons stated in the application, and grounds raised in the appeal memo, total compensation of Rs.6,38,000/- is ordered to be paid to the applicant no.1 and compensation of Rs.1,50,000/- be paid to applicant no.4. Suffice it to say that withdrawal of compensation is subject to the final outcome of the appeal.

5. The applicant to file an undertaking before the Claims Tribunal that the Applicant will refund the amount in the event the Appellant-Insurance Company succeeds in the appeal. The Tribunal to re-invest the balance compensation in any Nationalised Bank until further orders.

6. Application stands disposed of.

(Smt.Anuja Prabhudessai, J)