

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

**CIVIL APPLICATION NO. 4403 OF 2018
IN
FIRST APPEAL NO.60 OF 2016**

Pramila Ashok Jadhav & Ors. ...Applicants

IN THE MATTER BETWEEN

S.B.I.General Insurance Company Limited ...Appellant

Versus

Smt.Pramila Ashok Jadhav & Ors. ...Respondents

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Ms.Shraddha Pawar i/b. Mr.Dilip Bodake for the Applicants.
Mr.Nikhil Mehta i/b. KMC Legal Venture for the Appellant.
Mr.S.R.Moray i/b. Mr.V.S.Talkute for Respondent No.6.

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CORAM: V.G.BISHT, J.

DATE: 23RD JANUARY, 2020

PC:-

1. This application is moved for withdrawal of amount deposited by the original appellant / insurance company pursuant to the judgment and award dated 18.05.2015 passed by the learned Member, Motor Accident Claims Tribunal, Satara in M.A.C.P No. 469 of 2013.
2. Heard the learned Counsel for both the parties.

3. Considering the judgment and award and the submission of the learned Counsel, the applicants are allowed to withdraw 50% of the amount deposited by the original appellant/insurance company as per apportionment given in operative part of the impugned judgment and award dated 18.05.2015. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest. The remaining amount is to be deposited in the fixed deposit of any nationalized bank.

4. Application is allowed and accordingly disposed of.

(V.G.BISHT, J.)