

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

**CIVIL APPLICATION NO. 113 OF 2020
IN
FIRST APPEAL NO. 968 OF 2018**

Nikhil Padmanabhan Pillay & Anr. ...Applicants

IN THE MATTER BETWEEN

Divisional Manager,
Reliance General Insurance Co. Ltd. ...Appellant

Versus

Nikhil Padmanabhan Pillay & Ors. ...Respondents

.....
Mr.Yogesh Pande for the Applicants.
Ms. Poonam Mittal i/b. Ms. Shalini Shankar for the Appellant.
.....

**CORAM: V.G.BISHT, J.
DATE: 29TH 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 14.02.2018 passed by the learned Member, Motor Accident Claims Tribunal, Pune in M.A.C.P. No. 115 of 2016.
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 insurance company as per apportionment given in clause No. 2 (a) of the operative part of the impugned judgment and award. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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.)