

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

**CIVIL APPLICATION NO. 2600 OF 2017
IN
REJECTED CASE NO. 27 OF 2020**

Mrs.Alcentri Surajsingh Rawat & Ors. ...Applicants

IN THE MATTER BETWEEN

The Oriental Insurance Co. Ltd. ...Appellant

Versus

Mrs.Alcentri Surajsingh Rawat & Ors. ...Respondents

.....

Mr.T.J.Mendon for the Applicants.

Ms.Ruchika Dave i/b. Mr.Asim Vidyarthi for the Original Appellant.

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CORAM: V.G.BISHT, J.

DATE: 20TH JANUARY, 2020

PC:-

1. This application is moved for withdrawal of amount deposited by the original appellant pursuant to the judgment and award dated 05.10.2007 passed by the learned Ad-Hoc Addl. District Judge-4 & Member, Motor Accident Claims Tribunal, Alibaug, District – Raigad in M.A.C.P. No. 90 of 1999.

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. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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. Civil Application is allowed and accordingly disposed of.

(V.G.BISHT, J.)