

Vina Khadpe
(Personal Assistant)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3765 OF 2019
IN
FIRST APPEAL NO.1770 OF 2019

Shri Momin Jalis Ahmed Tayyab ... Applicant

In the matter between

The Bajaj Allianz General Insurance .. Appellant

Versus

Shri Momin Jalis Ahmed Tayyab and anr .. Respondents

-
- Mr.Hrishikesh S. Shinde i/b. Mr.M.M. Sathaye for the applicant.
 - Mrs. Rina Kundu for respondent no.1.
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CORAM : SHRIKANT D. KULKARNI, J.

DATE : JANUARY 15, 2020.

P.C.:

- 1.** This application is moved by the original claimant / respondent no.1 for withdrawal of compensation amount deposited by the appellant - Bajaj Allianz General Insurance.
- 2.** Heard learned counsel for the applicant and learned counsel for respondent no.1.
- 3.** While disposing of Civil Application No.227 of 2016, this Court is pleased to stay the execution of the impugned Judgment and Award passed by the MACT, Thane. The

question is about the payment of compensation to respondent no.1. Respondent no.1 is the victim of the motor vehicle accident, as such compensation needs to be paid to respondent no.1. However, certain guarantee from respondent no.1 needs to be obtained.

4. Hence, Civil Application is allowed. The Motor Accident Claim Tribunal, Thane shall allow respondent no.1 to withdraw the amount of compensation of Rs.5,66,842/- on furnishing surety to the tune of Rs.5,66,842/-.

5. This order be informed to MACT, Thane, accordingly.

6. Keep the First Appeal on 29th January 2020 for admission .

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Vina A.
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Vina A.
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[SHRIKANT D. KULKARNI, J.]