

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

**INTERIM APPLICATION NO. 1 OF 2019
IN
FIRST APPEAL ST. NO.27299 OF 2018**

Subiyakhatun Shakil Ahmed & Ors. ...Applicants

IN THE MATTER BETWEEN

Reliance General Insurance Company Limited ...Appellant

Versus

Subiyakhatun Shakil Ahmed & Ors. ...Respondents

.....
Ms.Varsha Chavan for the Applicants.
Ms.Poonam Mittal for the Original 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 22.06.2017 passed by the learned Member, Motor Accident Claims Tribunal, Mumbai in Application No. 3082 of 2010.
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 appellant/insurance company as per apportionment given in operative part of the impugned judgment and award dated 22.06.2017. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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.)