

**HIGH COURT OF BOMBAY AT GOA, PORVORIM**

**FIRST APPEAL NO. 84 OF 2014**

NATIONAL INSURANCE COMPANY LTD. ....Appellant

Versus

SHRI ABIDALI ABDULLA CHENGALA ALIAS  
C.A. ABIDALI AND 2 ORS .....Respondents

**REGISTRAR'S ORDER**

The respondents have filed this application for withdrawal of amount deposited towards the compensation amount. The compensation amount of Rs. 6,17,710/- determined by the Tribunal is reduced by the Hon'ble Court in First Appeal No. 84 of 2014 to Rs. 4,23,743.25/- by its Judgment and Order dated 20<sup>th</sup> September, 2021.

The Hon'ble Court permitted the claimant to withdraw the amount together with the proportionate interest and also directed to refund the balance amount with proportionate interest to the appellant.

Accordingly, office prepared the calculation sheet and it was

shared with both the parties and views were called. The appellant i.e. National Insurance Company Limited did not file its views. The Ld. Adv. S. S. Kakodkar for respondent no.1, has filed his views. He agrees with the calculation prepared by the office. In addition to it, he requests to add the amount of cost of Rs. 12,610/- awarded by the Motor Accident Claim Tribunal. The Hon'ble Court has directed that there shall be no order as to costs. But the said direction is with regard to the cost of appeal.

The claimant is entitled for the costs incurred by him in Claim Petition, before the Motor Accident Claim Tribunal and which was awarded by the M.A.C.T i.e. Rs. 12,610/-.

As per the calculation of the office, respondent no.1/claimant is entitled for Rs. 9,31,120.25/- and he is also entitled for cost of Rs.12,610/-. So, the total amount of Rs. 9,43,730.25/- alongwith bank interest from 21<sup>st</sup> September, 2021 till encashment of FDR be paid to him. The remaining balance amount alongwith proportionate bank interest from 21.09.2021, be refunded to the appellant.

Date: 17<sup>th</sup> March, 2022

**( Kiran A. Bagi )**  
**Registrar (Judicial)**