

Uday S. Jagtap

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

**CIVIL APPLICATION NO. 979 OF 2019
IN
FIRST APPEAL (ST.) NO. 20991 OF 2018**

Rohini Tanaji More & Ors. .. Applicants

In the matter between

Shriram General Insurance Co. Ltd. .. Appellant

Vs.

Rohini Tanaji More & Ors. .. Respondents

.....

Mr. Bhalchandra S. Shinde for the applicants

Mr. Rahul Mehta i/b KMC Legal Venture for the respondents

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 12th JANUARY, 2021

P.C.

1. This is an application for withdrawal of the amount of compensation deposited by the insurer in M.A.C.T., Baramati.

2. Mr. Mehta, learned Counsel for the insurance company makes a statement across the bar that the company had already deposited an amount of Rs.25,29,104/- before the M.A.C.T., Baramati on 13th July, 2018 i.e. much before an order granting stay to the execution came to be passed by this Court on 10th August, 2018. Statement so made is accepted.

3. At this stage, the applicants are permitted to withdraw 50% of the amount of compensation deposited in the Tribunal.
4. After withdrawal of the 50% of the amount by the applicants, the M.A.C.T. shall invest the balance amount in a fixed deposit of a nationalized bank initially for a period of one year and thereafter for one year again after obtaining further orders from this Court.
5. The applicants shall give an undertaking before the M.A.C.T. that in case the appellant succeeds in appeal, the applicants shall refund the amount with interest at such rate as may be decided by this Court depending upon the outcome of the first appeal.
6. In view of the aforesaid observations, the application stands disposed of.
7. All parties as well as M.A.C.T. to act on an authenticated copy of this order.

(PRITHVIRAJ K. CHAVAN, J.)