

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

**INTERIM APPLICATION NO. 2713 OF 2019
IN
FIRST APPEAL (ST.) NO. 14826 OF 2019**

Surjit Kaur Bikramjit
Bhinder and ors.

.... Applicants

In the matter between :-

Reliance General Insurance
Company Limited

.... Appellant

v/s.

Surjit Kaur Bikramjit
Bhinder and ors.

.... Respondents

**WITH
FIRST APPEAL (ST.) NO. 14826 OF 2019**

Reliance General Insurance
Company Limited

.... Appellant

v/s.

Surjit Kaur Bikramjit
Bhinder and ors.

.... Respondents

Mrs. Rina Kundu for the Applicants.

Mrs. Kalpana R. Trivedi for the Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 25th JUNE, 2021.

P. C. :-

ORDER IN INTERIM APPLICATION NO.2713 OF 2019 :-

. The Applicants who are the Original Claimants have filed this Application for withdrawal of compensation deposited by the Appellant

– Insurance Company pursuant to the judgment dated 24/09/2018 in Claim Petition No.658/2016. By the impugned judgment and award, the Claims Tribunal has awarded compensation of Rs.38,44,700/- to the Applicants/Claimants being the widow, son and parents of the deceased-Bikramjitsingh who expired in a motor vehicular accident on 07/11/2014. The Applicants have stated that the deceased was the only earning member and that they were solely dependent on his income. The Applicant Nos.3 and 4 who are the parents of deceased are the senior citizens and they have no independent source of income.

2. Considering the reasons stated in the Application and so also grounds stated in the Appeal memo, the Applicant Nos.1 and 2 are allowed to withdraw sum of Rs.5,00,000/- each (Rupees Five Lakhs) and Applicant Nos.3 and 4 are allowed to withdraw sum of Rs.2,00,000/- each (Rupees Two Lakhs) with proportionate interest accrued thereon.

3. Interim Application No.2713 of 2019 stands disposed of.

ORDER IN FIRST APPEAL (ST.) NO. 14826 OF 2019 :-

4. Not on board. With consent, taken on board.

5. Ms. Rina Kundu, learned counsel waives service on behalf of Respondent Nos.1 to 4. Learned counsel for the Applicants states that she has no objection for condoning the delay. Issue notice to Respondent No.5, returnable on **23/07/2021**. Private service is permitted.

(SMT. ANUJA PRABHUDESSAI, J.)