

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO.1984 OF 2021 IN
FIRST APPEAL NO.187 OF 2020

National Insurance Company Ltd. Vs. Smt. Rekha Vinod Jadhav and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri B.P. Bhatt, Advocate for appellant.
Shri V.R. Thote, Advocate for respondent nos.1 to 6.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 6th OCTOBER, 2021.

Heard.

2. By way of this application, respondent nos.1 to 6/ claimants are seeking withdrawal of the amount of Rs.17,27,441/- deposited by the appellant with the Registry of this Court vide CCNR No.27521 dated 31.01.2020.

3. I have perused the contents in the application, so also impugned judgment and award dated 14.08.2021 passed by learned Member, Motor Accident Claims Tribunal, Darwa in Motor Accident Claim Petition No.6 of 2014. It is stated that the amount of interest at the rate of 6% p.a. till realisation has been awarded from the date of impugned judgment and award. It is further stated that the calculations are not in accordance with the judgment of the Hon'ble Supreme Court in the case of **National Insurance Company Limited Vs. Pranay Sethi and others**, reported in (2017) 16 SCC 680.

4. On due consideration, respondent nos.1 to 6/claimants are permitted to withdraw 75% of the aforesaid amount with interest accrued thereon, subject to furnishing usual undertaking to the satisfaction of Registrar (Judicial).

5. The application stands disposed of.

JUDGE

Wagh