

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

CIVIL APPLICATION (F) NO. 2559 OF 2021 IN FIRST APPEAL NO.
810 OF 2019

Bajaj Allianz Vs. Fatemabi and others

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

Court's or Judge's orders.

Ms. Ashwini Athalye, Advocate for the appellant
Mr. S.D. Chopde, Advocate for respondent Nos. 1 & 2

CORAM : V.M.DESHPANDE, J.

DATE : 16th DECEMBER, 2021.

Appellant - Bajaj Allianz General Insurance Company Limited filed an appeal i.e. First Appeal No. 810 of 2019, challenging the judgment and Award passed by the learned Motor Accident Claims Tribunal, Akola. The appeal was decided by this Court (Coram : Pushpa V. Ganediwala, J.) on 27/09/2021 and the appeal filed on behalf of the insurance company was dismissed.

2. During pendency of the appeal, the appellant – insurance company was directed to deposit the amount and accordingly, the amount was deposited. Since the appeal filed on behalf of the insurance company is dismissed, surely, the respondents, who are the legal representatives of deceased Sk. Amin Sk. Salim are entitled to withdraw the amount.

3. Accordingly, the application is allowed.

4. The original claimants are entitled to withdraw the entire amount deposited by the insurance company along with the accrued interest.

5. Hence, application is allowed and disposed of.

JUDGE

MP Deshpande