

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO.135 OF 2020
IN
FIRST APPEAL NO.7 OF 2015

DATTATRAYA UTTURKAR AND ANR. ... Applicants

Versus

COMMANDING OFFICER,
MILITARY CAMP AND ANR. ... Respondents

None for the applicants.

Mr. Mahesh Amonkar, Central Government Standing Counsel for the respondents.

CORAM: M. S. SONAK, J

DATE : 3rd January 2022

P.C. :

1. None for the applicants in this Civil Application. Mr. M. Amonkar appears for the respondents (original appellants).

2. This application has been taken out by the parents of the deceased Ravish who died in a motor accident involving the vehicle of the original appellants. Ravish was 23 years old and was working as an engineer with Electro Controls at the time of his death. The Tribunal has awarded the parents (present applicants) the compensation of ₹12,81,000/- with interest at the rate of 9% per annum. Mr. Amonkar has submitted that the entire awarded compensation has been deposited in this Court. According to me,

a case has been made out to permit the applicants (parents) to withdraw 50% of this compensation amount. Mr. Amonkar states that some security may be directed. Since, only 50% of the amount is being released, an undertaking from the applicants for withdrawal shall abide by the final orders in this appeal will suffice. Ultimately, it is to be noted that the parents have lost their son Ravish who was hardly 23 years old at the time of the accident. It is reasonable to proceed on the basis that Ravish would have taken care of the applicants (parents) at this stage of their life.

3. Accordingly, Misc. Civil Application No.135 of 2020 is allowed. The registry is directed to transfer 50% deposited amount into the accounts of either of the applicants or if they hold joint account, in such accounts. This process should be completed within two weeks from today.

4. It is clarified that this withdrawal will abide by the final orders in the appeal.

5. The Misc. Civil Application is disposed of in the aforesaid terms.

M. S. SONAK, J