

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

**INTERIM APPLICATION NO.3332 OF 2022
IN
FIRST APPEAL NO.462 OF 2021**

Smt. Alaka Tukaram Ghutugade and
Ors.

...Applicants

Versus

The New India Assurance Co. Ltd.
and Ors.

...Respondents

.....

Mr. Tejpal S. Ingale for the Applicants.

Mr. Rajesh Kanojia with Ms Nikita Singh i/b. M/s. Res Juris for the original Appellant in FA/462/2021.

Mr. Prasad Avhad i/b. Mr. Kuldeep U. Nikam for Respondent Nos.6 and 7.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 9th JUNE, 2022.

P.C.:-

1. By this application, the Applicants have sought to withdraw the compensation deposited by the Appellant -Insurance Company as per the impugned judgment dated 08/03/2019 passed in M.A.c.P. No.147 of 2013.

2. Having considered the reasons stated in the application and the grounds raised in the appeal memo, out of the 50% of the

compensation, amount Rs.2,50,000/- each be paid to Respondent Nos.4 and 5. From the balance amount of Rs.28,70,500/- 1/3 share each be paid to Respondent Nos.1 and 2 with proportionate interest accrued thereon. 1/3 rd share paid to Respondent No.3 shall be invested in his name in fixed deposit in any nationalised bank. 50% of the remaining compensation shall also be deposited in the fixed deposits in any nationalised bank.

3. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)