

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

**INTERIM APPLICATION NO. 1384 OF 2022
IN
FIRST APPEAL (ST.) NO. 3925 OF 2022**

Trupti Praveen Rathod and ors.

.... Applicants

In the matter between :-

Branch Manager,

Iffco Tokio General Insurance Co. Ltd.

.... Appellant

v/s.

Trupti Praveen Rathod and ors.

.... Respondents

Mr. Rahul Mehta i/b. KMC Legal Venture for the Appellant.

Mr. Jayant J. Bardeskar for Respondent Nos.1 to 4.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 09th MARCH, 2022.

P. C. :-

. Applicant Nos.2 and 3 are minors and they were represented by Applicant No.1, their mother as a natural guardian. Appellant to amend the cause title accordingly within a period of one week.

2. By the present Application, the Applicants have sought withdrawal of the compensation which was ordered to be deposited by the Appellant – Insurance Company.

3. Learned counsel for the Appellant – Insurance Company states that the amount is not yet deposited and that as per the order dated 24/02/2022, the Appellant – Insurance Company has time till 20/04/2022 to deposit the said amount.

4. Having considered the reasons stated in the impugned judgment and the grounds raised in the Appeal memo, the Applicant No.1 – Trupti Praveen Rathod, the widow of the deceased is entitled to withdraw Rs.20,00,000/- (Rupees Twenty Lakhs) with proportionate interest accrued thereon. The Applicant No.4 – Sou. Bebibai Bhupalchand @ Bhopalchandra Rathod, the mother of the deceased is entitled to withdraw Rs.10,00,000/- (Rupees Ten Lakhs) with proportionate interest accrued thereon. The said amount be paid to the Applicant Nos.1 and 4 after the amount is deposited by the Appellant – Insurance Company. The balance amount be invested in fixed deposit in any nationalized bank until further orders.

5. Interim Application stands disposed of.

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(SMT. ANUJA PRABHUDESSAI, J.)