

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

VAISHALI
ANIL
TIKAM

**CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION No. 2367 OF 2020
IN
FIRST APPEAL No. 423 OF 2013**

Digitally signed
by VAISHALI
ANIL TIKAM
Date:
2022.04.13
09:39:39
+0530

**Smt. Purna Rajendra Kumbhar
(Patil) and Ors. ... Applicants**
In the matter between
**The New India Assurance Company
Ltd. ...Appellant**
Vs.
**Smt. Purna Rajendra Kumbhar
(Patil) and Ors. ...Respondents**

**WITH
CIVIL APPLICATION No. 1651 OF 2013
IN
FIRST APPEAL No. 423 OF 2013**
**The New India Assurance Company
Ltd. ...Applicant**
Vs.
**Smt. Purna Rajendra Kumbhar
(Patil) and Ors. ...Respondents**

* * * *

**Ms. Sejal A. Mariyan i/b. P.D. Bhise for Applicant in IA
2367 of 2020**
**Mr. D.R. Mahadik for Appellant in FA 423 of 2013 and
for Applicant in CAF 1651 of 2013**

Coram : Sandeep K. Shinde, J.

Dated: 12th APRIL, 2022.

P.C. :

1. Motor Accident Claim Tribunal, Alibaug, Raigad in MACP No. 263 of 2006 awarded compensation to the Respondents- Original Claimants in the sum of Rs.8,10,120/- with interest @ 7.5% p.a. Feeling aggrieved by the award, the New India Assurance Co. Ltd. preferred First Appeal. Appeal is admitted. This Court on 20th September, 2017, permitted the Claimants to withdraw Rs.2,00,000/- each i.e Rs.6 lacs. This application is moved seeking withdrawal of balance amount of compensation.
2. In view of the reasons stated in paragraph Nos. 5 and 6 of the application, each of the Respondents (Original Claimants) is permitted to withdraw Rs.2,00,000/-, by furnishing security to the satisfaction of the Motor Accident Claim Tribunal at Alibaug in MACP No. 263 of 2006. Application is partly allowed and disposed of.
3. List the appeal for final hearing as per its turn.

(Sandeep K. Shinde, J.)