

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

**INTERIM APPLICATION NO.3391 OF 2022
IN
FIRST APPEAL (STAMP) NO.36688 OF 2018
(REJECTED CASE NO.464 OF 2020)**

Mahadevi Sunil Shinde and Ors. ...Applicants

Versus

Bajaj Allianz General Insurance Co.
Ltd. ...Respondent

.....

Mr. Rushikesh Kale for the Applicants in IA/3391/2022

Mr. Devendranath S. Joshi for the Respondent.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 6th JUNE, 2022.

P.C.:-

1. The Applicants, who are the original claimants have sought to withdraw amount of compensation deposited in Motor Accident Claims Tribunal, Solapur, in M.A.C.P No.22 of 2013.

2. By the impugned judgment, the Claims Tribunal has awarded compensation of Rs. 21,70,000/-with interest @ 8% p.a. from the date of petition till date of payment of the entire amount. Out of the said amount, sum of Rs.4,25,000/- each is ordered to be paid to Respondent Nos.2 and 3-minor children and an amount of Rs.

4,00,000/- each to Respondent Nos.4 and 5 being parents of the deceased and that balance amount is ordered to be paid to Respondent No.1, widow of the deceased.

3. Considering the reasons stated in the application, 50% of the compensation awarded to Respondent Nos.1, 4 and 5 with proportionate interest is allowed to be withdrawn subject to filing of an undertaking that the same will be refunded with interest in the event the Appellant-Insurance Company succeeds in the appeal.

4. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)