

Digitally
signed by
SHARADA
RANGNATH
WAHULE
Date:
2022.12.23
10:50:02
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.30069 OF 2022
IN
FIRST APPEAL NO.59 OF 2017

Mangal Babusha @ Baban Kadam & Ors. ..Applicants

Versus

The New India Assurance Co. Ltd. Respondent

Mr. Girish B. Badiger for the Applicants.

Mr. Devendranath S. Joshi for the Respondent.

CORAM : S. G. DIGE, J.

DATE : 21st DECEMBER, 2022.

P.C. :

1. Heard learned counsel for the Applicants and learned counsel for the Respondent. The learned counsel for the Applicants submits that appeal is dismissed in default. The award amount deposited by the Respondent is pending before Motor Accident Claims Tribunal, Pune. Hence, Applicants be permitted to withdrawn the said amount.
2. The learned counsel for the Respondent submit that Respondent in process to file appropriate application

before this Court regarding dismissal of the Appeal.

3. I have heard both the learned counsel. As the Appeal is dismissed, the Applicants need the amount deposited before the Motor Accident Claims Tribunal, Pune, for their daily expenses. They are in need of money.

4. Hence, I pass the following order.

ORDER

- (I) Interim Application is allowed;
- (ii) Applicants are permitted to withdraw the entire award amount deposited by the Respondent before Motor Accident Claims Tribunal, Pune, along with interest thereof;
- (iii) Interim Application is disposed of accordingly.

(S. G. DIGE, J.)