

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

**INTERIM APPLICATION NO. 266 OF 2021
IN
FIRST APPEAL (ST.) NO. 10787 OF 2019**

National Insurance Co. Ltd. Applicant
v/s.
Mr. Nelson Ignatius Rodrigues and ors. Respondents

Mr. Amol Gatne for the Applicant.
Mr. R.V. Govilkar a/w. Mr. Nikhil Jayakar i/b. Mr. Ritesh S. Wagh
for Respondent Nos.1 and 2.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 13th JULY, 2022.

P. C. :-

. This is an Application for withdrawal of the excess amount of Rs.22,61,033/- deposited before MACT, Mumbai pursuant to the order dated 10/10/2019 in Civil Application (St.) No.10789 of 2019.

2. Mr. Govilkar, learned counsel for the Respondent – claimant has no objection to refund the said amount subject to verification by the Claims Tribunal, Mumbai.

3. Mr. Gatne, learned counsel for the Applicant has placed on record report of the Accounts Officer, MACT, Mumbai indicating that an amount of Rs.2,56,46,449/- has been deposited and that the amount

payable is Rs.2,34,39,405/-. The report indicate that an amount of Rs.22,07,044/- is deposited in excess. The said amount with accrued interest thereon be refunded to the Appellant – Insurance Company.

4. Interim Application stands disposed of.

**PREETI H
JAYANI**

(SMT. ANUJA PRABHUDESSAI, J.)

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