

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

***CIVIL APPLICATION NO.141 OF 2020
IN
FIRST APPEAL (ST) NO.31241 OF 2014
WITH
CIVIL APPLICATION NO.1827 OF 2019
WITH
CIVIL APPLICATION NO.4347 OF 2015
WITH
CIVIL APPLICATION NO.4348 OF 2015***

Smt. Geetadevi D. Kanojiya and Ors. ...Applicants
Vs
United India Insurance Co. Ltd. and Ors. ...Respondents
...

Mr. S.R.Gupta for the Applicants in CAF/141/20.
Mr. Rahul Mehta i/by KMC Legal Venture for Appellant in FA.

CORAM : SANDEEP K. SHINDE J.
DATE : APRIL 28, 2022.

P.C. :

Pending Appeal against the award in Motor Accident Claims Application No.3019 of 2007 passed by the Motor Accident Claims Tribunal, Mumbai, appellants-United India Insurance Company Limited deposited the compensation in terms of the impugned award. Applicants/Original Claimants seek withdrawal of the part of the compensation for the reasons stated in the application.

2 Heard learned counsel for the parties. Perused the application.

3 In consideration of the facts of the case and for the reasons stated in the application, applicants are permitted to withdraw 50% of the awarded compensation along with interest accrued thereon till 31st March, 2022 on applicants' Undertaking to refund the amount in the event, appellants succeed. The learned Member, Motor Accident Claims Tribunal shall apportion the amount amongst the applicants after hearing them.

4 Civil Application No.141 of 2020 is partly allowed and disposed of in aforesaid terms.

(SANDEEP K. SHINDE, J.)