

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2837 OF 2018

IN

FIRST APPEAL NO. 1368 OF 2005

RENU BEDPRAKASH SINGH
AND ORS.

} APPLICANTS

V/S.

NEW INDIA ASSURANCE CO. LTD. } RESPONDENT

* * * *

Mr. Indrajeet R. Kulkarni, Advocate for the applicant
in FA—1368-2005 and for respondent in CAF-2837-2018.

Ms. Amrin Khan i/by. Mr. Avinash M. Gokhale, Advocate
for the applicant in CAF-2837-2018 and for respondents
no.1 to 3 and 5 in FA-1368-2005.

Coram : Sandeep K. Shinde, J.
(through Video Conference).

Tuesday, 25th January, 2022.

P.C. :

1) This Court, vide order dated 20th December,
2007 permitted the respondents-original claimants to
withdraw part of the compensation amount awarded in
M.A.C. Petition No.880/1999 by the Member, Motor

Accidents Claim Tribunal, Thane, however till date, the applicants have not withdrawn the amount, although the same has been deposited by New India Assurance Company Limited-appellants in First Appeal. In the year 2017, Civil Application seeking withdrawal of the entire awarded compensation was filed, yet it is moved for the first time in 2022. In consideration of the aforestated facts, the applicants are permitted to withdraw the compensation in terms of order dated 20th December, 2007 passed in Civil Application No.1884/2015 and apply afresh, for such further reliefs as may be advised.

2) Civil Application No. 2837/2018 is allowed in aforesaid terms and disposed of accordingly.

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(Sandeep K. Shinde, J.)