

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATIONS NO. 355 & 354 OF 2023
IN
FIRST APPEALS NO. 66 & 68 OF 2017

JUNAID ADMANI ... Applicant.

Versus

NATIONAL INSURANCE CO. LTD. & ... Respondents.
OTHERS.

Mr Ajit R. Kantak with Mr Raunak A. Kantak, Advocates for
the Applicant.

CORAM : M. S. SONAK, J.

DATE : 24th August 2023

P.C. :

1. Heard Mr A.R. Kantak for the Applicant.
2. These are applications for withdrawal of the compensation amounts. Mr Kantak presses for withdrawal of the entire deposited amount stating that the same is required for purchase of a shop premises from which the Applicant proposes to carry on business.
3. The Applicant is an young boy. Unfortunately, his parents died in a vehicular accident, almost 18 years ago. He is cared for by his uncles and aunts.
4. Upto now, an amount of approximately ₹44.00 lakhs has been released in favour of the Applicant. In my judgment, at least, an amount of ₹50.00 lakhs should be retained in this Court as a cushion, given the vagaries of business and young age of the Applicant. The Applicant's circumstance *i.e.* the unfortunate absence

of his parents, is also a relevant consideration. The Applicant's uncles and aunts have, no doubt, taken care of his interest, which is quite appreciable. Still, retention of an amount of ₹50.00 lakhs, in this Court, for some years *i.e.* at least until the Applicant is settled in his business, appears prudent.

5. Accordingly, the Registry to retain an amount of ₹50.00 lakhs, which should remain invested in a nationalized bank. The balance amount, which will come to approximately ₹32.00 lakhs or thereabouts, can be released to the Applicant.

6. Mr Kantak states that the Applicant's identity and bank details will be supplied to the Registry, so that the Registry can transfer this amount to the Applicant's account. The Registry must retain ₹50.00 lakhs and continue with its investment in a nationalized bank.

7. Both the applications are disposed of in the above terms.

M. S. SONAK, J.