

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.558 OF 2011
IN
FIRST APPEAL NO.2196 OF 2011

Reliance General Insurance Company
Limited ... Appellant

V/s.

Shrada Narayan Mane And
Ors ... Respondents

WITH
CIVIL APPLICATION NO.2064 OF 2014
IN
FIRST APPEAL NO.2196 OF 2011

Shrada Narayan Mane And Applicants /Original
Ors ... claimant.

V/s.

Reliance General Insurance Company
Limited ... Respondents

Mr. Sudhir S. Harikar, Advocate for Applicant in CAF/2064/2014.
Ms. Mrunmayi K. I.b Mr. Vilas B. Tapkir, Advocate for the
Respondent

CORAM : RAJESH S. PATIL, J.

DATED : 8 NOVEMBER 2023

P.C.:

CIVIL APPLICATION NO.2064 OF 2014

1. This Civil Application is filed by the original claimant for

withdrawal of the amount deposited by the Appellant / Insurance Company before the concerned MACT.

2. It is the case of the Applicants that Applicant No.1 is the widow of the deceased, Applicant No.2 and 3 are the daughter and son of the deceased. At the time of the death of the deceased, he was the only earning member of the family. After his death, the Applicants have borrowed hand loans from relatives. So also, the Applicants require funds for the education of Applicant No.3. So also for day to day expenses they require monies, therefore the Applicants prayed to be allowed to withdraw the amount deposited by the Insurance Company.

3. I have heard both the sides and I have gone through the contents of the Interim Application.

4. Applicants are permitted to withdraw 70% of the 'Award' amount deposited by the Insurance Company along with accrued interest as per the ratio mentioned in the impugned Judgment and Award, upon furnishing an undertaking before the concerned MACT to the effect that if they fail in this First Appeal, they will return the amount with interest, at such rate as may be directed by this Court at the time of disposal of the First Appeal.

5. Balance amount shall be invested in the fixed deposit of a nationalized bank initially, for a period of one year and thereafter for like period depending the pendency of this Court.

6. The Registry to see that the money is transferred to the account of the Applicant.

7. All the parties to act on an authenticated copy of this order.
8. The Civil Application is accordingly disposed of.

(RAJESH S. PATIL, J.)