



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

72 CIVIL APPLICATION NO. 4407 OF 2024
IN FAST/179/2024

PRAMOD KHANDU JAKATE AND ANR
VERSUS
MAHADEV BHARAT KOKANE AND ANR

Mr.S.B. Choudhari, Advocate for the applicants.

Mr.M.R. Deshmukh, Advocate for respondent No.2.

CORAM : KISHORE C. SANT, J.
DATED : 05.07.2024

PC :-

01. Heard. This application is filed for withdrawal of the amount deposited by the insurance company in this Court towards compensation awarded by the learned Member, Motor Accident Claims Tribunal, Osmanabad in MACP No. 25 of 2021.

02. The application is opposed by the learned Advocate for the respondent Mr. Deshmukh. He submits that in this case the compensation is awarded for death of a child aged 2 years and 6 months. The compensation awarded is Rs.12,04,000/-, which is quite exorbitant. The claimants were entitled at the most to Rs.3,25,000/-. He thus submits that the amount awarded is four times more than what the claimants were entitled to.

03. Considering the above, the following order :-

ORDER

- (i) The application is partly allowed.
- (ii) The applicants-claimants are permitted to withdraw Rs.4,00,000/- (Rupees Four Lakhs Only) out of the amount deposited by the insurance company, on furnishing undertaking that in-case the appeal is decided against the claimants, they will re-deposit the amount with interest within 12 weeks from the date of such order.

[KISHORE C. SANT, J.]