

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

INTERIM APPLICATION NO. 15435 OF 2023

IN

FIRST APPEAL NO. 1904 OF 2024

The United India Insurance Company
Limited, Ratnagiri

.... Appellant

V/s.

Mrs. Shrawani Sandeep Zagade and Ors.

.... Respondents

WITH

INTERIM APPLICATION NO. 1715 OF 2025

IN

FIRST APPEAL NO. 1904 OF 2024

Shrawani Sandeep Zagade and ors.

.... Applicants

In the matter between :-

The United India Insurance Company
Limited, Ratnagiri

.... Appellant

V/s.

Mrs. Shrawani Sandeep Zagade and Ors.

.... Respondents

Mr. Rahul Mehta i/b. KMC Legal Venture for the Applicant in
IA/15435/2024 for the Appellant in FA.

Mr. Shreyas Butala for the Applicants in IA/1715/2025.

CORAM : SHYAM C. CHANDAK, J.

DATED : 12th FEBRUARY, 2025

P.C. :-

ORDER IN INTERIM APPLICATION NO. 15435 OF 2023 :-

. By this Application, the Applicant – Insurance Company has sought stay to the execution and implementation of the impugned judgment and award dated 23th May, 2022 passed by the learned Member, Motor Accident Claims Tribunal, Khed, Dist. Ratnagiri in MACP No.34 of 2019 thereby the Claims Tribunal has awarded compensation of Rs.18,45,500/- with interest @ 6% p.a. from the date of filing of the

application till the recovery of entire amount.

2) Learned Advocate for the Appellant states that, as directed in the Order dated 08th November 2023, the Applicant has deposited the entire amount of compensation along with accrued interest with the Tribunal.

3) In view thereof, the Application is allowed in terms of prayer clause (a) and stands disposed of.

ORDER IN INTERIM APPLICATION NO. 1715 OF 2025 :-

4) By this Application, the Applicants/Original Claimants are seeking permission to withdraw the amount of compensation deposited by the Appellant with the Motor Accident Claims Tribunal to meet their day-to-day expenses.

5) The Applicant Nos.2 and 3 are minors. Hence, the Applicant No.1 is permitted to receive the interest accruing on the compensation amount of the share of Applicant Nos.2 and 3 which is kept in fixed deposit.

6) In view thereof, the Applicant Nos.1 and 4 are permitted to withdraw 50% of the compensation amount of their share with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant Nos.1 and 4 would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount with Nationalised bank giving highest interest from time to time.

- 7) The statutory amount deposited in this Court shall be transferred to the Tribunal.
- 8) Interim Application No.1715 of 2025 stands disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

**PREETI
HEERO
JAYANI**

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