

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

**INTERIM APPLICATION NO.1622 OF 2025
IN
FIRST APPEAL ST. NO.3674 OF 2023**

Srushti Sachin Zagade & Ors. ...Applicants
vs.
The United India Insurance
Company Ltd. ...Respondents

Mr. Shreyash Sudhir Butala for the Applicants-claimants.

Mr. Nikhil Mehta i/b KMC Legal Venture for the Respondents.

CORAM : SHYAM C. CHANDAK, J.

DATED : 11th FEBRUARY, 2025

P. C. :

. This Application is seeking permission to withdraw the compensation amount. Perused the Application.

2) Heard learned Counsel for the Applicants/Claimants and learned Advocate for Respondent-Appellant.

3) Pursuant to the Judgment and Order dated 24th May, 2022 passed in M.A.C.P. No.35 of 2019, by the Motor Accident Claims Tribunal, Khed, District Ratnagiri, the Respondents/Appellants - Insurance Company has deposited the entire compensation amount. The said compensation amount has been apportioned amongst Applicant Nos.1 to 3 in ratio 25 : 65 : 10, respectively.

4) Learned Advocate for the Applicants submits that the Applicants want to withdraw the compensation amount to meet educational expenses of Applicant No.2, medical expenses of Applicant No.3 and the domestic expenses of the family.

5) The Applicant No.2 is minor. The Applicant No.1 is permitted to receive monthly interest on the compensation amount awarded to Applicant No.2 and which has been kept in the fixed deposit in her name.

6) In view thereof, the Applicant Nos.1 and 3 are permitted to withdraw 50% of the compensation amount of their share deposited by the Respondent-Appellant with the Tribunal along with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicants/Claimants would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest the remaining 50% of the amount with a 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.1622 of 2025 stands disposed of.

[SHYAM C. CHANDAK, J.]