

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 14003 OF 2024

IN

FIRST APPEAL NO. 1081 OF 2023

Maruti Appanna Patil

... Applicant

Versus

Bajaj Allianz General Insurance Company Ltd.
and Ors.

... Respondents

....

Mr. Shirshak R. Chavanke, Advocate for the Applicant.

Mr. Sarthak S. Diwan, Advocate for Respondents.

....

CORAM : R. M. JOSHI, J.

DATED : 3rd NOVEMBER, 2025.

P.C. :

. Heard learned counsel for both sides,

2. This Application for withdrawal of the amount of the compensation granted by the Motor Accident Claims Tribunal in MACP No.63/2019. Admittedly, the amount of compensation along with interest has been deposited by the insurer pursuant to the order passed by this Court in IA No.16985 of 2023 dated 3rd November 2023.

N.S. Kamble

3. The learned counsel for the Respondent opposes the withdrawal of the amount of compensation on the ground that the Tribunal has not considered the amendment under Section 163A of the Motor Vehicle Act, which restricts the compensation to the extent of Rs.5 lakhs. It is his submission that this issue requires consideration by this Court and hence the Application be rejected.

4. *Prima facie*, there is no dispute with regard to the entitlement of the Claimant to receive the amount of compensation. The only issue is sought to be raised in respect of the maximum amount of compensation which could be granted to the Claimant. Undisputedly the amount of compensation could be at least upto Rs.5 lakhs.

5. In view of the above, the Claimants are permitted to withdraw Rs.5 lakhs along with the interest accrued thereon, on usual undertaking.

(R. M. JOSHI, J.)