

**ORDER BELOW EXHS.1 IN MISC. APPLICATION NO.64 OF 2026
IN MACP NO.475 OF 2018**

1. All applicants are claimants in MACP No.475 of 2018, they are praying for withdrawal of remaining 50% amount alongwith the interest accrued thereon in the background of dismissal of First Appeal (ST.) No.15037 of 2023 dt. 05.01.2026.
2. It is contended that against the Judgment given by the MACT, Mumbai, the Insurer had deposited Rs.67,70,505/- under protest, the Insurer preferred First Appeal (ST.) No.15037 of 2023. The Hon'ble High Court vide Order dt. 13.09.2023 permitted applicants to withdraw 50% amount from the deposited amount by the Insurer. Accordingly, the applicants had withdrawn the same. On 05.01.2026 the First Appeal was dismissed on merits, hence the applicants are entitled to withdraw the remaining 50% amount with interest.
3. Report of Accounts Officer dt. 11.02.2026 indicates that after withdrawal, an amount of Rs.33,85,252/- is invested in Canara Bank, Fort, Mumbai.
4. Registrar's report submitted that after the Order dt. 05.01.2026 passed by the Hon'ble High Court, there is no further Order received either from the Hon'ble High Court or the Hon'ble Supreme Court.
5. The certified copy of Judgment and Order dt. 05.01.2026 delivered by the Hon'ble High Court in First Appeal (ST) No.15037 of 2023 indicates that this application was filed on 21.01.2026 without even waiting for the appeal period to file second Appeal before the Hon'ble Supreme Court, to come to an end. Therefore, Ld. Adv. Mr. Shroff who represented the

Insurance company in MACP No.475 of 2018 is requested to provide the details if the Insurer has preferred second appeal before the Hon'ble Supreme Court. He checked the same with the Insurance company and orally submitted acrossed the Bar that the Insurer has not preferred second appeal till date.

6. It appears that the Hon'ble High Court dismissed First Appeal on merits permitting the claimants to withdraw the deposited amount alongwith the interest accrued thereon. Even the Hon'ble High Court has directed to transmit the MACT Mumbai the statutory amount alongwith the interest accrued thereon giving further liberty to the applicants to withdraw the same. Hence, following order is passed:

ORDER

- 1 Misc. Application No.64 of 2026 is allowed.
- 2 The Accounts Officer shall recall an amount of Rs.33,85,252/- with the interest accrued thereon and distribute the same amongst claimants No.1 to 3 by transferring the amounts individually standing in the name of each claimant as approtioned in the Judgment and final Order in MACP No.475 of 2018, in the individual Bank Account of every applicants on their submitting the details thereof alongwith copies of passbooks.
3. The statutory deposit with interest if any accrued thereon be equally paid to every applicants by transferring it in their individual bank accounts by veryfying and confirming their identities.

(M.G. Deshpande)
Member, C.R. 2
MACT, Mumbai

Date : 12.03.2026

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