



ORDER BELOW EXH.1 IN MACP NRJ NO.29/2026

(Pratiksha & Ors Vs. Liberty General Insurance Company Ltd. & Ors.)

The present application is filed by the applicants seeking withdrawal of the remaining compensation amount deposited in this Tribunal pursuant to the award passed in MACP No.34 of 2016.

02. It is the case of the applicants that by judgment and award dated 18/04/2022, this Tribunal granted compensation in favour of the claimants arising out of the motor accident which occurred on 20/11/2015 near Kolkhe Railway Bridge on the old Mumbai–Pune Highway within the jurisdiction of Panvel City Police Station.

03. In compliance with the said award, the insurer Liberty General Insurance Company Ltd. deposited in this Tribunal:

Rs.45,98,991/- under Register Entry No.116

Rs.3,26,733/- under Register Entry No.117

on 02/03/2023.

04. Being aggrieved by the said award, the insurer preferred First Appeal No.1283 of 2022 before the Hon'ble High Court of Bombay.

05. During pendency of the appeal, the Hon'ble High Court by order dated 10/04/2024 in Interim Application

No.19762 of 2022 granted stay to the impugned award of the Tribunal till final disposal of the appeal, noting that the insurer had deposited the entire award amount along with accrued interest.

06. Subsequently, the claimants filed Interim Application No.12684 of 2024 seeking withdrawal of the compensation amount. The Hon'ble High Court, by order dated 20/09/2024, after hearing both sides, permitted the claimants to withdraw 50% of the deposited amount along with interest on furnishing usual undertaking, with a direction that apportionment be made by the Tribunal as per the award.

07. In compliance with the said order, 50% of the amount amounting to Rs.24,62,862/- was released to the applicants, and the remaining amount Rs.23,11,843/- was retained and invested in fixed deposit in the name of the Tribunal, as reflected from the report of the Finance Section.

The applicants now contend that the First Appeal No.1283 of 2022 has been finally decided by the Hon'ble High Court on 19/01/2026, whereby the appeal filed by the insurer came to be dismissed, with a direction that the claimants shall additionally be entitled to Rs.96,000/- towards filial consortium with interest at 7% per annum.

08. The Writ Section report placed on record confirms that the proceedings before the Hon'ble High Court including the interim applications stand disposed of.

09. Thus, after dismissal of the appeal by the Hon'ble High Court, the award passed by this Tribunal has attained finality, subject to the modification regarding additional

compensation.

10. Once the appeal is finally disposed of and there is no interim protection operating in favour of the insurer, the claimants become entitled to receive the balance compensation amount lying in deposit before the Tribunal.

11. The Finance Section report shows that the remaining amount of Rs.23,11,843/- is presently lying invested in fixed deposit in the name of this Tribunal.

12. In view of the dismissal of the appeal and the absence of any legal impediment, the applicants are entitled to receive the remaining compensation amount along with accrued interest, as well as the additional compensation awarded by the Hon'ble High Court. Hence, the following order.

ORDER

1. The application is allowed.
2. The remaining amount of Rs.23,11,843/- along with accrued interest lying in fixed deposit in the name of this Tribunal shall be released to the applicants.
3. The applicants shall also be entitled to receive additional compensation of Rs.96,000/- with interest at the rate of 7% per annum from the date of filing of the claim petition till realization, as directed by the Hon'ble High Court in First Appeal No.1283 of 2022.
4. The Finance Section shall break the fixed deposit and transfer the amount to the applicants through RTGS /

bank transfer after due verification and compliance of necessary formalities.

5. The application stands disposed of accordingly.

Pronounced in open court.

Alibag,
Date :- 20/03/2026.

(S.D.Bhagat)
Ex-Officio Member MACT
Raigad-Alibag.