MHMT010008062026

# Order below Exh.1 in Misc. Application No.274 of 2026 In MACP No.947 of 2010

Perused the application. Heard learned counsel Shri. S. P. Kolekar for the applicants. Perused the report of Accounts Officer dated 09.06.2026 & 10.06.2026 and Writ Report dated 13.05.2026.

2. Perused Exh.1 to Exh.12 of the application. Perused the order of the Hon'ble Bombay High Court passed in First Appeal No.309/2017 dated 14.07.2025 and the order passed in Interim Application No.5014/2026 dated 17.07.2026.

3. It is the contention of the applicants that the First Appeal No.309/2017 filed by the insurance company against the Judgment and Award passed by this Tribunal is MACP No.947/2010 is disposed of vide order dated 14.07.2025. However, the insurer had deposited the awarded amount in this Tribunal. It is further contended that in view of earlier order of the Hon'ble Bombay High Court, the original claimant had withdrawn 50% amount along with accrued interest.

4. It is also contended that during pendency of the said appeal, original Applicant-Smt. Ruchita Vishnu Patil died on 11.12.2023 and the present applicants are the legal heirs of original applicant. Hence, prayed for disbursement of the remaining amount of compensation along with accrued interest, to the present applicants, in equal share.

5. On perusal of record, it can be seen that the First Appeal No.309/2017 is came to be disposed of vide order dated 14.07.2025. The legal heirs of the deceased Ruchita Vishnu Patil namely Bhavita and Abhianay have filed the present application.

6. On further perusal of the order of Hon'ble High Court passed in Interim Application No.5014/2026 dated 17.07.2026, it can be seen that the applicants of the present application are brought on record as the legal representative of the original claimant who expired on 11.12.2023 and further they are permitted to withdraw the amount deposited, along with interest, in equal proportion.

7. Moreover, report of Accounts Officer dated 09.06.2026 shows that out of the compensation amount deposited by the insurer, the original claimant had withdrawn 50% amount and the balance amount of Rs.9,58,164/- is invested in the bank. However, the report dated 10.06.2026 shows that as per the Judgment of this Tribunal, amount of Rs.5,00,000/- has not been invested in the name of original applicant.

8. Considering the aforesaid orders of the Hon'ble Bombay High Court dated 14.07.2025 and 17.07.2026, report of Account Officer and Writ Section, the balance amount of the compensation can be allowed to be withdrawn by the present applicants in equal share. Therefore, the following order.

**ORDER**

1. Application is allowed.

2. Accounts Officer, MACT, Mumbai is directed to recall the invested amount along with interest accrued.

3. Thereafter, Accounts Officer shall disburse/transfer the compensation amount to the present Applicant Nos.1 and 2, in equal shares, only by way of NEFT/RTGS **directly** into the Bank Account of the Applicant Nos.1 & 2 as given below :

| Sr. No. | Name of the applicant | Account No. | Bank name and IFSC |
|---|---|---|---|
| 1. | Bhavita Vishnu Patil | 110305694584 | Canara Bank<br>Bhandup (W) Branch,<br>IFSC : CNRB0015059 |
| 2. | Abhinay Vishnu Patil | 50592010102478 | Syndicate Bank<br>Gadav Naka, Bhandup (W) Branch,<br>IFSC : SYNB0005059 |

4. Accordingly, Misc. Application stands disposed off.

MONICA INOK ARLAND
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Date: 2026.07.28 17:42:38 +0530

(M. I. Arland)
Chairman,
MACT, Mumbai

Date : 28.07.2026
GDE