

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

**CIVIL APPLICATION NO. 77 OF 2017
IN
FIRST APPEAL STAMP NO. 35253 OF 2016**

The Manager,
Bajaj Alliance General Insurance Company Ltd. ... Applicant
Versus
Surekha Sanjay Pawane and others ... Respondents

**WITH
CIVIL APPLICATION NO. 2494 OF 2018
IN
FIRST APPEAL STAMP NO. 35253 OF 2016**

Surekha Sanjay Pawane and others ... Applicants
In the matter between
The Manager,
Bajaj Alliance General Insurance Company Ltd. ... Appellant
Versus
Surekha Sanjay Pawane and others ... Respondents

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Ms Yogita Deshmukh, Advocate for the Applicant in CA No.77 of 2017.
Mr. A. Kulkarni, Advocate i/b Mr. Akshay Shinde, Advocate for
Respondent Nos. 1 to 3 in CA No.77 of 2017 and for Applicants in CA
No.2494 of 2018

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CORAM : A. S. CHANDURKAR, J.

DATE : 5th DECEMBER, 2018.

P. C.:

CIVIL APPLICATION NO. 77 OF 2017

. As the entire amount of compensation has been deposited by the
appellant, the execution of the impugned award shall remain stayed till
pendency of the appeal.

2. Civil application is disposed of.

CIVIL APPLICATION NO. 2494 OF 2018

1. Heard learned Counsel for the parties.
2. Perused the impugned judgment and award. In the facts of the case, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file undertaking within eight weeks from today that if the appeal is allowed, the amount so withdrawn shall be repaid with interest at such rate the Court may direct. The remaining amount shall be invested in a fixed deposit.
3. Civil application is disposed of.

(A. S. CHANDURKAR, J.)