

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

**CIVIL APPLICATION NO. 2734 OF 2018
IN
FIRST APPEAL (ST.) NO. 24984 OF 2016**

Smt.Maniben Arjan Chheda & Anr. ... Applicants

In the matter between

Royal Sundaram Alliance Insurance Co. Ltd. ... Appellant

V/s.

Smt.Maniben Arjan Chheda & Anr. ... Respondents

- Mr.Nikhil Mehta for the Appellant.
- Mr.T.J. Mendon for the Applicants/Respondent No.1.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 26th SEPTEMBER, 2018.

P.C. :

1] This is an application filed by the Applicants-Claimants for withdrawal of the amount of compensation deposited in the Court.

2] Considering the necessity of the Applicants-Claimants, the Application needs to be allowed. However, having regard to the fact the Appeal preferred by the Insurance Company is only on the ground of quantum of compensation, the Applicants-Claimants are permitted to withdraw 50% of the amount of compensation, subject to furnishing of usual undertaking that, in case the decision of the Appeal goes against them, they will refund the entire amount with interest at the bank rate.

3] The Civil Application is disposed off in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]