

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

**CIVIL APPLICATION NO. 2146 OF 2017
WITH
CIVIL APPLICATION NO. 2147 OF 2017
WITH
CIVIL APPLICATION (ST.) NO. 19251 OF 2018
IN
FIRST APPEAL (ST.) NO. 243 OF 2017**

IFFCO TIKO General Insurance Co. Ltd. .. Appellant
Vs.
Smt. Damayanti Sambhaji Jadhav & Ors. .. Respondents

Ms. Varsha Chavan, Advocate for appellant.

Ms. Sangeeta S. Salvi, Advocate for respondent Nos.1 to 4.

**CORAM : A.S. CHANDURKAR, J.
DATE : 14TH DECEMBER 2018**

P.C.

CIVIL APPLICATION NO. 2146 OF 2017

1 The learned counsel enters appearance for respondent No.2 and service on respondent No.1 is complete. Considering the reasons of delay, the same stands condoned.

2 The application is disposed of.

FIRST APPEAL (ST.) NO. 243 OF 2017

3 Heard. Admit. Call for record and proceedings in MACP No.134/2014. The learned counsel waives notice on behalf of respondent Nos.1 to 4.

CIVIL APPLICATION NO. 2147 OF 2017

4 As the entire amount of compensation is deposited with the Claims Tribunal, execution of the impugned order shall remain stayed during pendency of proceedings.

CIVIL APPLICATION (ST.) NO. 19251 OF 2018

5 Heard the learned counsel and perused the impugned judgment.

6 Considering the nature of evidence on record, the claimants are permitted to withdraw 50% of the amount of compensation as deposited. The claimants shall file an undertaking in this Court within a period of eight weeks stating therein that in case the appeal is allowed, the amount withdrawn shall be re-deposited with interest at such rate the Court may direct. The balance amount shall remain invested in fixed deposit.

7 The civil application is disposed of.

(A.S. CHANDURKAR, J.)