

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

**FIRST APPEAL NO. 787 OF 2018
WITH
CIVIL APPLICATION NO. 2337 OF 2018
WITH
CIVIL APPLICATION STAMP NO. 23709 OF 2018**

Bajaj Allianz General Insurance Co. Ltd. ... Appellant
Versus
Maya Dattu Kale and others ... Respondents

.....

Mr. Devendranath S. Joshi, Advocate for the Appellant.
Mr. Bharat B. Gadhavi, Advocate for Respondent Nos. 1 and 2.

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CORAM : A. S. CHANDURKAR, J.

DATE : 13th DECEMBER, 2018.

P. C.:

FIRST APPEAL NO. 787 OF 2018

1. Heard.
2. **Admit.** Call for the Record and Proceedings.
3. Mr. Gadhavi, learned Counsel waives notice for respondent Nos. 1 and 2.

CIVIL APPLICATION NO. 2337 OF 2018

1. As the appellant has deposited the entire amount of compensation with the Claims Tribunal, the execution of the impugned award shall remain stayed during pendency of the appeal.
2. The civil application is disposed of.

CIVIL APPLICATION STAMP NO. 23709 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claimants shall file undertaking within a period of eight weeks from today that if the appeal is allowed, the amount so withdrawn shall be repaid with interest at such rate the Court may direct.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. The civil application is disposed of.

(A. S. CHANDURKAR, J.)