

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

**CIVIL APPLICATION NO. 3696 OF 2018
IN
FIRST APPEAL NO. 838 OF 2017**

Shri Akash Aher

.. Applicant

In the matter between :

IFFCO TOKIO General Insurance Co. Ltd.

.. Appellant

Vs.

1. Akash Aher & Ors.

.. Respondents

**WITH
CIVIL APPLICATION NO. 2499 OF 2017
IN
FIRST APPEAL NO. 838 OF 2017**

Ms. Varsha Chavan, Advocate for appellant.

Ms. Sangeeta S. Salvi, Advocate for respondent Nos.1 and for applicant in CAF/3696/2018.

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

P.C.

CIVIL APPLICATION NO. 2499 OF 2017

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

2 The civil application is disposed of.

CIVIL APPLICATION NO. 3696 OF 2018

3 Heard the learned counsel and perused the impugned judgment.

4 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undertaking in this Court within a period of eight weeks stating therein that in case the appeal is allowed, the amount withdrawn shall be re-deposited with interest at such rate the Court may direct.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.

5 The civil application is disposed of.

(A.S. CHANDURKAR, J.)