

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

**FIRST APPEAL NO. 997 OF 2015
WITH
CIVIL APPLICATION NO. 2958 OF 2015
WITH
CIVIL APPLICATION NO. 205 OF 2017
IN
FIRST APPEAL NO. 997 OF 2015**

H.D.F.C. Ergo General Insurance Company
Ltd. through Divisional Officer .. Appellant
Vs.
Shri Balgir Madhavgir Gosavi & Anr. .. Respondents

Mr.Abhijit P. Kulkarni, Advocate for appellant.

Mr.M.U. Rajput, Advocate I/b Mr.Rajan Pawar, Advocate for respondent No.1.

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

P.C.

FIRST APPEAL NO. 997 OF 2015

1 Heard. Admit. Call for record and proceedings.

The learned counsel waives notice for respondent No.1.

**CIVIL APPLICATION NO. 2958 OF 2015
(FOR STAY)**

2 As the entire amount of compensation has been deposited with the Claims Tribunal, execution of the impugned award shall remain stayed during pendency of the proceedings.

3 The civil application is disposed of.

CIVIL APPLICATION NO. 205 OF 2017

4 Heard the learned counsel and perused the impugned judgment.

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in this Court within a period of eight weeks stating therein that in case the appeal is allowed, the amount withdrawn shall be re-deposited with interest at such rate the Court may direct.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

6 The civil application is disposed of.

(A.S. CHANDURKAR, J.)