

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

CIVIL APPLICATION NO. 3734 OF 2015

IN

FIRST APPEAL NO. 1189 OF 2015

The New India Assurance Co. Ltd. ... Applicant
Versus
Smt. Rama Madhavji Chawda and another ... Respondents

CIVIL APPLICATION NO. 248 OF 2017

IN

FIRST APPEAL NO. 1189 OF 2015

Smt. Rama Madhavji Chawda ... Applicant
In the matter between
The New India Assurance Co. Ltd. ... Appellant
Versus
Smt. Rama Madhavji Chawda and another ... Respondents

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Smt. S. S. Dwivedi, Advocate I/b Devendranath S. Joshi, Advocate for the Applicant/Appellant.

Mr. Vishwambhar M. Parkar, Advocate for Respondent No.1 in CA No.3734/2015 and for Applicant in CA No.248/2017.

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CORAM : A. S. CHANDURKAR, J.

DATE : 5th DECEMBER, 2018.

P. C.:

CIVIL APPLICATION NO. 3734 OF 2015

1. As the entire amount of compensation is deposited by the appellant, the execution of the impugned award shall remain stayed during pendency of the appeal.
2. Civil application is disposed of.

CIVIL APPLICATION NO. 248 OF 2017

1. Heard learned Counsel for the applicant. Perused the impugned judgment.
2. Considering the nature of injury suffered by the applicant, an amount of Rs.75,000/- is permitted to be withdrawn by the applicant. The applicant shall file an undertaking in this Court within a period of six weeks stating therein that if the appeal is allowed, the said amount would be repaid with interest at such rate the Court may direct. The remaining amount be invested in a fixed deposit.
3. The Record and Proceedings which were called to this Court be sent to the Claims Tribunal to enable disbursement of the aforesaid amount. After the amount is disbursed the Record and Proceedings be sent back to this Court.
4. Civil application is disposed of.

(A. S. CHANDURKAR, J.)