

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

**CIVIL APPLICATION NO. 3789 OF 2019
IN
FIRST APPEAL STAMP NO. 34591 OF 2018**

Vikas Mahadev Patil ... Applicant

IN THE MATTER BETWEEN

New India Assurance Co. Ltd. ... Appellant
Versus
Vikas Mahadev Patil and Ors. ... Respondents.

Mr. Bhushan Walimbe, for the Applicant
Ms. Poonam Mittal, for the Appellant.

CORAM : V. G. BISHT, J.

DATED : 31ST JANUARY, 2020.

P.C.

The Applicant has moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and order dated 27/12/2017 passed by the learned Member, MACT, Karad in M.A.C.P. No. 135 of 2011.

2 Heard learned counsel for both the parties.

3 In view of submissions made by learned counsel for the applicant, applicant is allowed to withdraw 50% of the compensation amount as per

apportionment made in operative part of the impugned Judgment and Order. The applicant is directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.

4 Civil Application is allowed and accordingly disposed of.

(V. G. BISHT, J.)