

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

**CIVIL APPLICATION NO. 912 OF 2019
IN
FIRST APPEAL NO. 20 OF 2020**

Prabhakar Yashwant Upasani and Anr. ... Applicants

IN THE MATTER BETWEEN

The United India Insurance Co. Ltd. ... Appellant

Versus

Prabhakar Yashwant Upasani and Ors. ... Respondents.

Mr. Yogesh Pande, for the Applicants.

Ms. Vipashyana Ingle i/b Ketan Joshi, for the Ori. Appellant.

CORAM : V. G. BISHT, J.

DATED : 21ST JANUARY, 2020.

P.C.

The Applicants have moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and order dated 27/10/2017 passed by the learned Member, Motor Accident Claims Tribunal, Pune in M.A.C.P. No. 752 of 2014 and 143 of 2015.

2 Heard learned counsel for both the parties.

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

per apportionment made in Clause No. 2 of the operative part of the impugned Judgment and Order. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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.)