

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

**CIVIL APPLICATION NO. 2215 OF 2019
IN
FIRST APPEAL STAMP NO. 16491 OF 2018**

Ajaykumar Bholaprasad Gupta ... Applicant

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd. ... Appellant

Versus

Ajaykumar Bholaprasad Gupta and Ors. ... Respondents.

Mr. T.J. Mendan, for the Applicant.

Ms. Shalini Shankar, for the Appellant.

CORAM : V. G. BISHT, J.

DATED : 21ST JANUARY, 2020.

PC.

The Applicant has moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and order dated 14/02/2018 passed by the learned Member, MACT, Alibag, Dist. Raigad in Claim Application No. 422 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 Clause No. (B) of the 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 The applicant is directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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.)