

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

**CIVIL APPLICATION NO. 3587 OF 2019
IN
FIRST APPEAL STAMP NO. 15960 OF 2018**

Ajit Bapu Minekar and Ors. ... Applicants

IN THE MATTER BETWEEN

The New India Insurance Co. Ltd. ... Appellant

Versus

Ajit Bapu Minekar and Ors. ... Respondents

Mr.Bhushan Walimbe, for the Applicant.

Mr. Milind V. More, for the Appellant.

CORAM : V. G. BISHT, J.

DATED : 31ST 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 03.02.2018 passed by the learned Member, MACT, Kolhapur in M.A.C. No. 678 of 2010.

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 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 The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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.)