

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

CIVIL APPLICATION NO.4399 OF 2016
IN
FIRST APPEAL STAMP NO.27836 OF 2014

Kulbhushan Ashok Upadhey & Ors. ... Applicants.

In the matter between

The Manager,
United India Insurance Co. Ltd. ... Appellant.
V/s.
Kulbhushan Ashok Upadhey & Ors. ... Respondents.

Mr.S.G.Thorat for the Applicants.
Mr.Abhijeet Joshi for the Original Appellant.

CORAM : V.G. BISHT, J.

DATE : 17TH JANUARY, 2020.

P.C.:

1. The applicants have moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and order dated 05/06/2014 passed by the learned Member, Motor Accident Claims Tribunal, Sangli in MAC Petition No.120 of 2010.
2. Heard learned counsel for the parties.
3. In view of submissions made by learned counsel for the applicants, they are allowed to withdraw 50% of the compensation amount as per apportionment made in

paragraph 1 of the order dated 05/06/2014 passed in MAC Petition No.120 of 2010. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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 is accordingly disposed of.

(V.G. BISHT, J.)