

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

**CIVIL APPLICATION NO. 3443 OF 2019
IN
FIRST APPEAL STAMP NO. 34664 OF 2018**

Mr. Ather A. Sayyed ... Applicant

IN THE MATTER BETWEEN

Future General India Insurance Co. Ltd. ... Appellant
Versus
Mr. Ather A. Sayyed and Anr. ... Respondents

Mr. Niketan Nakhwa, for the Applicant.
Ms. Rui Danawala i/b Res Juris, for the Appellant.

CORAM : V. G. BISHT, J.

DATED : 21ST 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 09/08/2018 passed by the learned Commissioner for Employees Compensation and Judge, 9th Labour Court, Mumbai in E.C.A. No.464-C-137 of 2016.

2. Heard learned counsel for the parties.
3. In view of submissions made by learned counsel for the applicant,

the applicant is allowed to withdraw 50% of the compensation amount as per apportionment made in paragraph 2 of the order dated 09/08/2018 passed in E.C.A. No.464-C-137 of 2016. The applicant is directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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 is accordingly disposed of.

(V. G. BISHT, J.)