

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

**CIVIL APPLICATION NO. 4441 OF 2018
IN
FIRST APPEAL STAMP NO. 29877 OF 2018**

Shri. Hakimuddin Kurbanhussain Bhanpurawala ... Applicant

IN THE MATTER BETWEEN

HDFC Ergo General Insurance Co. Ltd. ... Appellant
Versus

Shri. Hakimuddin Kurbanhussain Bhanpurawala & Ors. ... Respondents

Ms. Kalpana Trivedi i/b Sushma Gor, for the Applicant.
Ms. Sweta Shah i/b Abhijit P. Kulkarni, for the Appellant.

CORAM : V. G. BISHT, J.

DATED : 31ST JANUARY, 2020.

P.C.

The applicant has moved this application for withdrawal of an amount deposited by the original appellant pursuant to the judgment and order dated 09/01/2018 passed by the learned Chairman, M.A.C.T., Mumbai in MACP No. 57 of 2014.

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 The applicant is directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.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