

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.415 OF 2021
IN
FIRST APPEAL NO.79 OF 2021

The New India Assurance Co.Ltd.]...Applicant/Appellant.
Vs.
Mr.Dhrub Narayan Lalchand Prasad & Anr.]...Respondents.

Mr.D.S.Joshi for applicant/appellant.

Mr.Amol Gatne for respondents.

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 3RD MARCH, 2021.

P.C. :

1. Heard Mr.Joshi, the learned Counsel for the appellant. He submits that the appellant has been served with the notice of execution and warrant of attachment has already been issued.
2. Mr.D.S.Joshi, the learned Counsel for the appellant undertakes to deposit the amount of compensation with accrued interest within 4 weeks. Statement is accepted. In view of the statement made, there shall be *ad-interim relief in terms of prayer clause (a) of the application.*
3. If the appellant fails to deposit the amount as above, ad-interim relief shall stand vacated without further reference to the Court.

4. The appellant shall intimate the factum of deposit of amount of compensation, to the claimant within a week thereafter.
5. After depositing the amount under award with accrued interest, liberty to the respondent/claimant to withdraw 70% of the amount of compensation with accrued interest.
6. At the time of withdrawal, the claimant shall give an Undertaking that in case, the appeal succeeds, he will refund the amount with interest, subject to the outcome of the appeal.
7. The application stands disposed of.

(PRITHVIRAJ K.CHAVAN,J.)