

BDP-SPS-TAC

BHARAT
DASHARATH
PANDIT

Digitally signed
by BHARAT
DASHARATH
PANDIT
Date: 2021.08.31
18:22:36 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.3816 OF 2019
IN
FIRST APPEAL (STAMP) No.21137 OF 2017**

Shri Prakash Balu Dandekar Applicant.

In the matter between

The New India Assurance Co. Ltd. Appellant.

V/s

Shri Prakash Balu Dandekar and Ors. Respondents.

Mr. Gautam Jain i/b Ms. N.S. Bobade for Applicant.

Ms. Preet S. Phanse i/b H.G. Misar for original Appellant.

CORAM: NITIN W. SAMBRE, J.

DATE: AUGUST 23, 2021

P.C.:-

1] Prayer for withdrawal of amount of compensation is objected by the Appellant-Insurance Company on the ground that Appellant has a strong case and there is every likelihood that Appellant will succeed in the matter.

2] Since the Appeal is admitted, it will be appropriate in my opinion to allow the claimant to withdraw 75% of the awarded money upon

furnishing undertaking that in case if present appeal is allowed, claimant shall redeposit the amount within 12 weeks from the date of such order with 6% interest p.a.

3] Application is accordingly disposed of.

(NITIN W. SAMBRE, J.)