

Santosh

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

**INTERIM APPLICATION NO. 3287 OF 2021
IN
FIRST APPEAL (ST) NO. 372 OF 2021**

Tunidevi Samali Ram & ors. ...Applicants

In the matter between

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

Versus

Tunidevi Samali Ram & ors. ...Respondents

**SANTOSH
SUBHASH
KULKARNI**

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Date: 2021.11.18
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Mr. T. J. Mendon, for the Applicants/Respondent nos.1 to 8 in
FAST/372/21.

Mr. Abhijit Kulkarni, for the Respondent/Appellant.

CORAM: N. J. JAMADAR, J.

DATED : 17th NOVEMBER, 2021

PC:-

1. Heard the learned Counsel for the applicants.
2. By an order dated 15th January, 2021, the respondents – claimants were permitted to withdraw 50% of the amount, which was to be deposited by the appellant – insurer, as a condition for stay to the execution, operation and implementation of the impugned award, upon furnishing an undertaking within a week of the said deposit.
3. The learned Counsel for the applicants/claimants submits that the appellant – insurer did not apprise the applicants /claimants about the deposit and, therefore, the applicants/

claimants could not furnish the undertaking within the stipulated period and withdraw the amount.

4. Time to furnish undertaking and withdraw the amount in terms of paragraph 7 of the order dated 15th January, 2021, stands extended by three weeks from today.

5. The application stands disposed of.

[N. J. JAMADAR, J.]