

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1768 OF 2019**

IN

FIRST APPEAL [STAMP] NO.36674 OF 2018

Siyaram Ramgopal Chikvar	]	
(since deceased)	]	
Rekha Siyaran Chikvar and Ors.	]	Applicants

IN THE MATTER BETWEEN:

Bajaj Allianz General Insurance	]	
Company Ltd.	]	Appellants

Vs.

Siyaram Ramgopal Chikvar	]	
(since deceased)	]	
Rekha Siyaran Chikvar and Ors.	]	Respondents

.....

Mr. Amol A. Gatne, for Applicants.
Mr. D.S. Joshi, for Respondent.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 15th JANUARY, 2021.

P.C.

1. Heard Mr. Gatne, learned Counsel for the applicants and Mr. Joshi, learned Counsel for the respondent.

2. This is an application for withdrawal of the amount of compensation deposited by the respondent.

**Shailaja
S.
Halkude**

Digitally signed by
Shailaja S.
Halkude
Date: 2021.01.18
12:04:00 +0530

3. In the interest of justice, the applicants are permitted to withdraw 60% of the amount of compensation deposited by the respondent in the Tribunal upon furnishing an undertaking within one week that if the respondent succeeds in the appeal, the applicants will return the amount with interest at such rate as would be directed by this Court depending upon the outcome of the first appeal.

4. If applicants do not file an undertaking within the aforesaid period, the amount deposited by the respondent shall be invested by the M.A.C.T in the fixed deposit of a Nationalized Bank for a period of one year and thereafter for one more year again after obtaining order from this Court.

5. If 60% amount is withdrawn by the applicants, balance amount shall be invested by the M.A.C.T in a fixed deposit as stated above, in a Nationalized Bank.

6. The application is partly allowed in the aforesaid terms.

7. This order will be digitally signed by the Personal Assistant of this Court. All concerned shall act on production by fax or e-mail of a digitally signed copy of this order.

[PRITHVIRAJ K. CHAVAN, J.]