

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

INTERIM APPLICATION NO. 10264 OF 2022

In

FIRST APPEAL NO. 858 OF 2018

Sachin Uttam Gaikwad

..Applicant.

v/s.

National Insurance Co. Ltd.

..Respondents

Mr. Dilip Bodake a/w. Suyash Kohse for the Applicant.

Ms. Kalpana Trivedi i/b. KMC Legal for the Respondent-Insurance Company.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 21st OCTOBER, 2022.**

P.C.

1. The Applicant herein, who is the original Claimant has sought withdrawal of the compensation deposited by the Appellant Insurance Company. The Applicant had sustained injuries in a motor vehicular accident resulting in 70% of permanent disablement, leading to 100 % functional disablement.

2. Considering the nature of the injuries and other grounds stated in the application, vis-a-vis the grounds raised in the appeal memo, the Applicant is permitted to withdraw 70% of the compensation with proportionate interest accrued thereon, subject to filing an undertaking that he shall refund the amount with interest, in the event the Appellant insurance company succeeds in the appeal.

3. Civil Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)