

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

**INTERIM APPLICATION NO. 10078 of 2022
IN
FIRST APPEAL NO. 252 OF 2021**

Kekanaje Balkrishna Bhat and ors. Applicants

In the matter between :-

Bajaj Allianz General Insurance Company Ltd. Appellant
v/s.

Kekanaje Balkrishna Bhat and ors. Respondents

Mr. Hemant Ghadigaonkar for the Applicants.

Mr. Sarthak S. Diwan for the Appellant – Insurance Company.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 01st JULY, 2022.

P. C. :-

. The Applicants who are the original claimants have sought withdrawal of the compensation deposited by the Appellant – Insurance Company as per the impugned judgment and award dated 22/02/2021 passed by the Member, MACT, Sindhudurg-Oros in Motor Accident Claim Petition No.22 of 2017.

2. In view of the reasons stated in the Application and considering the grounds stated in the Appeal memo, the Applicants/original claimants are permitted to withdraw 50% of the compensation with

proportionate interest accrued thereon.

3. The Applicants shall file an undertaking before the Claims Tribunal, Sindhudurg that they shall refund the amount with interest in the event the Appellant – Insurance Company succeeds in the Appeal. The Tribunal to re-invest the balance amount of compensation in FDR in any nationalized bank until further orders.

4. Interim Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)