

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

**INTERIM APPLICATION NO. 19771 OF 2022
IN
FIRST APPEAL NO. 1367 OF 2014**

Rais Ahmed Mohd. Mustakin Shaikh Applicant

In the matter between :-

United India Insurance Co. Ltd. Appellant

v/s.

Rais Ahmed Mohd. Mustakin Shaikh
and anr. Respondents

None for the original Appellant.

Mr. Abhijit Desai for the Applicant.

Mr. Rahul Oak for Respondent No.2.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th NOVEMBER, 2022.

P. C. :-

. By this Application, the Applicant who is the original claimant, has sought withdrawal of the compensation deposited by the Appellant – Insurance Company in Application No.469/2002.

2. Considering the reasons stated in the Application and on going through the grounds raised in the Appeal memo, the Applicant is permitted to withdraw 50% of the compensation with proportionate interest accrued thereon.

3. Suffice it to say that withdrawal of compensation is subject to the final outcome of the Appeal. The Applicant shall file an undertaking before the MACT, Mumbai that he will refund the compensation with interest in the event the Appellant succeeds in the Appeal.

4. Interim Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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