

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

**CIVIL APPLICATION NO. 953 OF 2016
IN
FIRST APPEAL NO.555 OF 2008**

Mrs. Gitanjali Himadri Chatterjee
and ors.

.... Applicants

In the matter between :-

Karnataka State Road Corporation
v/s.

.... Appellant

Mrs. Gitanjali Himadri Chatterjee
and ors.

.... Respondents

Mr. U.N. Mehta for the Applicants.
Mr. C.M. Lokesh for the Appellant.
Mr. Shubham Misar for Respondent No.5.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 11th OCTOBER, 2022.

P. C. :-

. By this Application, the Applicants have sought withdrawal of the compensation deposited by the Appellant – Corporation.

2. On 23/09/2022, the Applicants were not represented by any advocate. Hence, the Application was ordered to be heard along with the Appeal.

3. Learned counsel for the Applicants states that earlier advocate is

no more as he has expired. He states that parties have not received any compensation and that they are in dire need of money.

4. Considering the statement made as well as the reasons stated in the Application and the grounds raised in the Appeal memo, the Applicants are permitted to withdraw 50% of the compensation with proportionate interest accrued thereon.

5. Suffice it to say that the withdrawal of the compensation is subject to the final outcome of the Appeal. The applicants shall give an undertaking to the Claims Tribunal, Mumbai that they shall refund the amount with interest in the event the appellant succeeds in the appeal. The Tribunal to re-invest the balance amount of compensation in any nationalized bank until further orders.

5. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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