

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

**INTERIM APPLICATION NO.2539 OF 2022
IN
FIRST APPEAL NO.585 OF 2021**

Smt. Raghini Ramesh Joshi and Anr. ...Applicants
Versus
National Insurance Co. Ltd. ...Respondents

.....

Mr. T.S. Ingale for the Applicant.
Mr. Amol Gatne for the Appellant-Insurance Company.
Mr. Bhushan Walimbe for Respondent No.3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 9th JUNE, 2022.

P.C.:-

1. By this application, the Applicants have sought withdrawal of the compensation deposited by the Appellant-Insurance Company pursuant to the impugned judgment passed by the Claims Tribunal Kalyan, in M.A.C.P No.169 of 2008.

2. Having considered the reasons stated in the application and also the grounds raised in the appeal memo, in my considered view the Applicants are allowed to withdraw 50% of the compensation subject to an undertaking that same shall be refunded in the event, the Appellant-Insurance Company succeeds.

3. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)