

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

**INTERIM APPLICATION NO. 19222 OF 2022
IN
FIRST APPEAL (ST.) NO. 94350 OF 2020**

Shri. Rambhau Yadavrao Kadam
and ors.

.... Applicants

In the matter between :-

The Branch Manager,
National Insurance Co. Ltd., Mumbai
v/s.

.... Appellant

Shri. Rambhau Yadavrao Kadam
and ors.

.... Respondents

Ms. Manisha Jagtap for the Applicants.
Ms. Poonam Mital for the Appellant – Insurance Company.
Ms. Nazia Shaikh i/b. Leena Patil for Respondent No.5.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th NOVEMBER, 2022.

P. C. :-

. By this Application, the Applicants who are the original claimants, have sought withdrawal of the compensation deposited by the Appellant – Insurance Company.

2. Considering 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.

3. Suffice it to say that withdrawal of compensation is subject to the final outcome of the Appeal. The Applicants shall file an undertaking before the Commissioner for Workmen Compensation, Satara that they will refund the compensation with interest in the event the Appellant - Insurance Company succeeds in the Appeal.

4. Interim Application stands disposed of.

**PREETI H
JAYANI**

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PREETI H JAYANI
Date: 2022.12.01
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(SMT. ANUJA PRABHUDESSAI, J.)