

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

**INTERIM APPLICATION NO.10019 OF 2022
IN
FIRST APPEAL (STAMP) NO.7261 OF 2018**

Ibrahim Yunus Godame and Anr. ...Applicants

In the matter between
United India Insurance Company Limited ...Appellant

Versus

Tayara Aejaaz Godame and Ors. ...Respondents

...

Mr. Rahul Mehta i/b. M/s. KMC Legal Venture for the Appellant-Insurance Company.

Mr. Saurabh Butala with Ms Manvi Sharma for the Respondent in FAST/7261/2018 and for the Applicant in IA/10019/2022.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th OCTOBER, 2022.

P. C. :-

1. The Applicants herein, original Claimant Nos.3 and 4 are the parents of the deceased. These Applicants have sought withdrawal of the compensation deposited by the Appellant-Insurance Company pursuant to the Judgment and Award dated 05/07/2017 passed by MACT-Raigad in MACP 18 of 2009.

2. Considering the reasons stated in the application and the grounds raised in the appeal memo, the Applicants are permitted to

withdraw the compensation to the extent of 10% each with proportionate interest accrued thereon subject to filing of an undertaking that the Applicants would refund the amount with interest in the event the Appellant succeeds in the appeal.

3. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)