

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

**INTERIM APPLICATION NO.16531 OF 2022
IN**

FIRST APPEAL (STAMP) NO.9748 OF 2021

Smt. Sultana Sultan Shaikh ...Applicant

Versus

National Insurance Co. Ltd. ...Respondent

...

Mr. Devendranath Joshi i/b. Ms Swati Mehta for the Applicant.
Mr. Amol Gatne for the Respondent.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 10th NOVEMBER, 2022.

P.C. :-

The Applicant-original Claimant has filed this application for withdrawal of balance compensation deposited by the Appellant-Insurance Company. The Applicant has already withdrawn 50% of the compensation with proportionate interest accrued thereon. The Appellant-Insurance Company has disputed its liability to pay the compensation on the ground that the offending vehicle was not insured. The issue needs consideration subject to condonation of delay. At this stage no case is made out for withdrawal of balance compensation. The application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)