

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

INTERIM APPLICATION NO. 18200 OF 2022
IN
FIRST APPEAL NO. 235 OF 2022

Priyanka Rawal & Ors.

..Applicant

In the matter between

Reliance General Insurance Co. Ltd.

..Appellant

v/s.

Priyanka Rawal & Ors.

..Respondents

Mr. Pandit Kasar for the Appellant.

Mr. Bharat Gadhavi a/w. Chinmay Deshpande for the Respondent.

CORAM : ANUJA PRABHUDESSAI, J.

DATED : 18th OCTOBER, 2022.

P.C.

1. By this application, the Applicants (Original Claimants) have sought withdrawal of compensation deposited by the Appellant Insurance Company as per the judgment and Award passed by the Claims Tribunal.

2. The challenge in the appeal is mainly to the quantum of compensation. Having considered the reasons stated in the Application, as well as the grounds raised in the appeal memo, the Applicant No.1- widow of deceased Naresh Kumar Rawal is permitted to withdraw 20% of the compensation with proportionate interest accrued thereon.

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Applicant No.4 is permitted to withdraw 5% of the compensation with proportionate interest accrued therein. Applicant Nos.2 and 3 are minors. Hence, I am not inclined to allow withdrawal on their behalf, at this stage.

3. Suffice to say that the withdrawal is subject to filing an undertaking that the Applicants shall refund the amount with proportionate interest, in the event the Appellant insurance company succeeds in the appeal.

4. Interim Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)