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

**CIVIL APPLICATION NO. 3661 OF 2018
IN
FIRST APPEAL NO. 690 OF 2018**

Smt.Nanda Jeevan Gharat and Ors. ...Applicants

IN THE MATTER BETWEEN

Shriram General Ins. Co. Ltd. ...Appellant

Versus

Smt. Nanda Jeevan Gharat & Ors. ...Respondents

.....
Mr.Sandesh Deshpande for the Applicants.
Mr.Rahul Mehta i/b. KMC Legal Venture for the Original
Appellant.

.....
CORAM: V.G.BISHT, J.
DATE: 16th February, 2022

PC:-

1. The applicants have moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and award dated 9th May, 2017 passed by the learned Member, MACT, Raigad- Alibaug in Motor Accident Claim Petition No. 256 of 2015.

2 Heard learned counsel for both the parties. Learned counsel for original appellant has objected the application.

3. In view of submissions made by learned counsel for the applicants, applicants are allowed to withdraw 50% of the compensation amount as per the judgment and award and apportionment made in Order dated 9th May, 2017 passed in Claim Petition No. 256 of 2015. The applicants are directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.

4. The statutory amount of Rs.25,000/- deposited in this Court at the time of filing of Appeal shall be transferred to the Motor Accident Claims Tribunal, Raigad-Alibaug. Rest of the amount to be deposited in the nationalized bank.

5. Interim application is allowed and accordingly disposed of.

(V.G.BISHT, J.)