

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

**INTERIM APPLICATION NO.18732 OF 2022
IN
FIRST APPEAL NO.709 OF 2022**

Smt. Priya Anil Khetre and Ors.

...Applicant

Versus

HDFC ERGO Gen. Insurance Co. Ltd.

...Respondents

...

Mr. Rajan S. Pawar for the Applicants

Mr. Aditya Mahadik with Ms Sweta Shah i/b. Mr. Abhijit Kulkarni for Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 20th OCTOBER, 2022.

P. C. :-

1. The Applicants, who are the original Claimants have sought withdrawal of the compensation deposited by the Appellant-Insurance Company.

2. In view of the reasons stated in the application and the grounds raised in the appeal memo, the Applicant No.1, who is the widow of the deceased is allowed to withdraw 20% of the compensation with proportionate interest accrued thereon. Applicant No.2, who is the mother of the deceased is permitted to withdraw 5% of the compensation with proportionate interest accrued thereon.

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Applicant Nos. 2 and 3 are the minors, hence I am not inclined to allow withdrawal on their behalf. Suffice it to say that the withdrawal is subject to filing of an undertaking that the amount will be refunded in the event the Appellant succeeds in the appeal.

3. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)