

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

**INTERIM APPLICATION NO. 19120 OF 2022
IN
FIRST APPEAL (ST.) NO. 10735 OF 2022**

Smt. Dnyankala Kamlesh Singh
and ors.

.... Applicants

In the matter between :-

The New India Assurance Co. Ltd.
v/s.

.... Appellant

Smt. Dnyankala Kamlesh Singh
and ors.

.... Respondents

Mr. Rahul Mehta i/b.KMC Legal Venture for the Applicants.
Ms. Karishma Jhaveri i/b. Navdeep Vora and Associates
for the Appellant – Insurance Co.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th OCTOBER, 2022.

P. C. :-

. By this Application, Respondent Nos.1 to 3/original claimants have sought withdrawal of compensation deposited by the Appellant – Insurance Company.

2. Considering the reasons stated in the Application and the grounds raised in the Appeal memo, Applicants/Respondent Nos.1 to 3 are permitted to withdraw 60% of the compensation with

proportionate interest accrued thereon.

3. Suffice it to say that withdrawal of the compensation is subject to the final outcome of the Appeal. The Applicants shall file an undertaking before the Claims Tribunal, Mumbai that they shall refund the compensation with interest in the event the Appellant – Insurance Company succeeds in the Appeal.

4. Interim Application stands disposed of.

PREETI
H JAYANI

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PREETI H JAYANI
Date: 2022.10.18
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(SMT. ANUJA PRABHUDESSAI, J.)