

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

**INTERIM APPLICATION NO. 19295 OF 2022
IN
FIRST APPEAL NO. 588 OF 2022**

Dattaram Rajaram More Applicant

In the matter between :-

Reliance General Insurance Co. Ltd. Appellant

v/s.

Dattaram Rajaram More and anr. Respondents

Ms. Kalpana Trivedi for the Applicant.

Mr. Siddheshwar Biradar a/w. D.R. Shinde for Respondent No.1.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 19th OCTOBER, 2022.

P. C. :-

. The Applicant who is the original claimant has sought withdrawal of the compensation deposited by the Appellant – Insurance Company.

2. Considering the reasons stated in the Application and the grounds raised in the Appeal memo, the Applicant – original claimant is permitted to withdraw 50% of the compensation with proportionate interest accrued thereon.

3. Suffice it to say that withdrawal of compensation is subject to the

final outcome of the Appeal. The Applicant shall give an undertaking before the Claims Tribunal, Mumbai that he shall refund the compensation along with interest in the event the Appellant – Insurance Company succeeds in the Appeal. The Tribunal to re-invest the balance amount of compensation in a fixed deposit in any nationalized bank until further orders.

4. Interim Application stands disposed of.

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JAYANI

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(SMT. ANUJA PRABHUDESSAI, J.)