

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

INTERIM APPLICATION NO. 19608 OF 2022
IN
FIRST APPEAL (ST) NO. 22611 OF 2017

Nandkishore Kallu Prasad Kanojiya & Anr. ..Applicant

v/s.

New India Assurance Co. Ltd. & Anr. ..Respondents

Ms. Rina Kundu for the Applicant .
Ms. Jyoti Bajpayee for the Appellant- Respondent.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 11th NOVEMBER, 2022.**

P.C.

1. By this application, the Applicant has sought withdrawal of the compensation deposited by the Appellant Insurance Company as per the Judgment and Award of the Claims Tribunal.
2. Having considered the reasons stated in the application, and the grounds stated in the memo of appeal, the Applicant/s, are permitted to withdraw 50% of the compensation with proportionate interest accrued thereon, subject to filing an undertaking that they shall refund the amount with proportionate interest, in the event the Appellant insurance company succeeds in the appeal.
3. Civil Application stands disposed of.

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(ANUJA PRABHUDESSAI, J.)