

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

**INTERIM APPLICATION NO. 3505 OF 2022
IN
FIRST APPEAL NO. 401 OF 2021**

Mr. Omkar Dattatray Tawde Applicant

In the matter between :-

The Reliance General Insurance Co. Ltd. Appellant

v/s.

Mr. Omkar Dattatray Tawade and anr. Respondents

Ms. Kalpana Trivedi for the Appellant and for the
Applicant in IA/2682/2021.

Ms. Kavita Anchan for the Respondent in FA/401/2021
and for the Applicants in IA/3505/2022.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 01st JULY, 2022.

P. C. :-

. By this Application, the Applicant, who is the original claimant, has sought withdrawal of the compensation deposited by the Appellant – Insurance Company as per the impugned judgment and award dated 20/02/2020 passed by the Member, MACT, Mumbai in M.A.C.P. No.2187/2014.

2. Having considered 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 along with

proportionate interest accrued thereon.

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

4. Interim Application stands disposed of.

PREETI
H JAYANI

(SMT. ANUJA PRABHUDESSAI, J.)

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