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

**INTERIM APPLICATION NO. 865 OF 2022  
IN  
FIRST APPEAL NO. 1234 OF 2018**

Sumitkumar Vijaykumar Gandhi ...Applicant

**IN THE MATTER BETWEEN**

Reliance General Insurance Co. Ltd. ...Appellant

Versus

Sumitkumar Vijaykumar Gandhi ...Respondent

.....  
Mr. P.G.Sarda for the Applicant.

Mr. Abhinandan Waghmare for the Original Appellant.

.....

**CORAM: V.G.BISHT, J.**

**DATE: 21<sup>st</sup> February, 2022**

**PC:-**

1. The applicant has moved this application for withdrawal of amount deposited by the original appellant pursuant to the judgment and award dated 22<sup>nd</sup> March, 2018 passed by the learned Addl. Member, MACT, Pune in Motor Accident Claim Petition No.327 of 2013.

2 Heard learned counsel for both the parties. Learned counsel for original appellant has objected the application.

3. In view of submissions made by learned counsel for the applicant, applicant is allowed to withdraw 50% of the compensation amount as per the judgment and award dated 22<sup>nd</sup> March, 2018 passed in Claim Petition No. 327 of 2013. The applicant is directed to give an undertaking of returning the said amount to be withdrawn in the event of appeal being allowed with prevailing rate of interest.

4. The statutory amount of Rs.25,000/- deposited in this Court at the time of filing of Appeal shall be transferred to the Motor Accident Claims Tribunal, Pune. Rest of the amount to be deposited in the nationalized bank.

5. Interim application is allowed and accordingly disposed of.

6. List this appeal on **22<sup>nd</sup> March, 2022.**

**(V.G.BISHT, J. )**