

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

**INTERIM APPLICATION NO.19841 OF 2022
IN
FIRST APPEAL NO. 1227 OF 2022**

Varsharani Anantkumar Khot and Ors. ...Applicants

Versus

The Manager, Bajaj Allianz General
Insurance Company Ltd. ...Respondents

...

Mr. Akshay Kulkarni for the Applicants.
Mr. Sarthak S. Diwan for the Respondents.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 18th NOVEMBER, 2022.

P. C. :-

1. The Applicants have filed this application for withdrawal of compensation deposited by the Appellant-Insurance Company.

2. Having considered the reasons stated in the application and the grounds raised in the appeal memo, the Applicant No.1, who is original Claimant No.1 is permitted to withdraw 10% out of the total compensation with proportionate interest accrued thereon and Applicant Nos.4 and 5- original Claimant Nos.4 and 5 are permitted to withdraw 5% each out of the total compensation with proportionate interest accrued thereon. Original Claimant Nos.1, 4 and 5 shall file an

undertaking that the amount will be refunded with interest in the event the Appellant succeeds in the appeal. Claimant Nos.2 and 3 are minor children hence, I am not inclined to allow the withdrawal of amount at this stage. Out of total compensation 5% each with proportionate interest be invested in the name of Claimant Nos.2 and 3 in any nationalised bank with liberty to Claimant No.1 to withdraw quarterly interest in order to meet educational and other expenses of these two minor children.

3. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)