

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**921 CIVIL APPLICATION NO.7 OF 2023
IN FAST/23177/2022**

**RESHMA AKHIL PATHAN
VERSUS
CHOLAMANDALAM MS GENERAL INSURANCE CO LTD
THROUGH ITS AUTHORIZED SINGATURY**

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Mr. Swapnil Dargad, Advocate for the applicant.
Mr. Abhijit Choudhari, Advocate for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 3rd January 2023.

ORDER:-

1. Heard rival submissions. The applicants are seeking withdrawal of entire amount of compensation alongwith the interest which has been deposited by the respondent No.1 - Insurance Company, who in fact has filed this appeal.

2. The learned Counsel for the Insurance Company strongly opposed the application on the ground that the present appeal is filed challenging the quantum of compensation. Therefore, in view of the same, the applicants are permitted to withdraw only 50% of the deposited amount of compensation alongwith the proportionate interest accrued thereon till date as per the apportionment made by the learned

Tribunal, by furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The remaining amount be invested in F.D.R. in any Nationalized Bank on yearly renewal basis, till final disposal of this appeal.

3. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)