IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16778 OF 2023
IN
FIRST APPEAL (ST) NO.17525 OF 2022

Nisha Milind Kamble And Ors. ...Applicants
Versus
HDFC Ergo General Insurance Co. Ltd. ...Respondent

Ms. Sweta Shah h/f Mr. Abhijit Kulkarni for the Appellant.
Mr. Akshay Kulkarni for Respondent and Applicant.

CORAM : RAJESH S. PATIL, J.

DATED : 2 NOVEMBER, 2023.

P.C.:

1. This Interim Application is filed for withdrawal of the amount deposited by the Insurance Company.

2. It is stated that in the Interim Application that Applicant No.1 has no source of income and she has responsibility of four children on her shoulder. The children of the deceased are taking education, but it is difficult them due to financially constraints and therefore, it is also difficult for the Applicants to maintain their day to day affairs financially.

4. I have heard both the sides and I have gone through the contents of the Interim Application.

5. 50% of the 'Award' amount awarded to the Applicant Nos. 1,

2 and 3 are allowed to be withdrawn along with accrued interest as per the ratio mentioned in the impugned Judgment and Award, upon furnishing an undertaking before the concerned MACT to the effect that if they fail in this First Appeal, they will return the amount with interest, at such rate as may be directed by this Court at the time of disposal of the First Appeal.

6. The Registry to see that the money is transferred to the account of the Applicant.

7. Balance amount shall be invested in the fixed deposit of a nationalized bank initially, for a period of one year and thereafter for like period depending the pendency of this Court.

8. All the parties to act on an authenticated copy of this order.

9. The interim application is accordingly disposed of.

(RAJESH S. PATIL, J.)