

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.17070 OF 2023
IN
FIRST APPEAL NO.1098 OF 2023

Hanumant Raghunath Kumbhar & Anr. ... Applicants

IN THE MATTER OF

Bajaj Allianz General Insurance Co. Ltd. Appellant

V/s.

Hanumant Raghunath Kumbhar & Ors. ... Respondents

Mr. Sarthak D., Advocate for the Appellant.
None present for Respondents and Applicant in IA/17070/2023.

CORAM : RAJESH S. PATIL, J.

DATED : 8 NOVEMBER 2023

P.C.:

INTERIM APPLICATION NO.17070 OF 2023

1. This Interim Application is filed by the original claimant for withdrawal of the amount deposited by the Appellant / Insurance Company before the concerned MACT.
2. Applicants are the parents of the deceased. It is the case of the Applicant that considering the age and the ailments they suffer due to old age they desire that the present application be considered. It is further the case that if they are not allowed to withdraw 50% of the amount already deposited they will suffer heavy loss.

3. I have gone through the contents of the Interim Application.
4. The Applicants are permitted to withdraw 50% of the 'Award' amount deposited by the Insurance Company 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.
5. 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.
6. The Registry to see that the money is transferred to the account of the Applicant.
7. All the parties to act on an authenticated copy of this order.
8. The Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)