



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

**INTERIM APPLICATION NO. 14775 OF 2023
IN
FIRST APPEAL (ST) NO. 1419 OF 2021**

Mr. Akhtar Mohammad Shaikh (Pinjari) ..Applicants
& Others.

In the matter between

New India Assurance Company ..Appellant.

v/s.

Mr. Akhtar Mohammad Shaikh (Pinjari) ..Respondents

Ms. Poonam Mittal for the Appellant.
Mr. Pritesh Bohade for the Applicant-Org. Respondent.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : 1st SEPTEMBER, 2023.**

P.C.

1. By this application, the Applicants, who are the original claimants, has sought withdrawal of the compensation deposited by the Appellant Insurance Company as per the Judgment and Award of the Claims Tribunal in MACP No. 1048 of 2015.

2. Having considered the reasons stated in the application, and the grounds stated in the memo of appeal, the Applicants are permitted to

withdraw 50% of the compensation with proportionate interest accrued thereon, subject to filing an undertaking that they shall refund the amount with proportionate interest, in the event the Appellant insurance company succeeds in the appeal.

3. Civil Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)