

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

**INTERIM APPLICATION NO.14407 OF 2023
IN
FIRST APPEAL (ST) NO.16374 OF 2023**

Vaishali Sharad Ghadage And Ors. ...Applicant
Versus
United India Insurance Co. Ltd. Pune ...Respondents

Ms.Varsha Chavan for the Appellant.
Mr. Sanjay Gangal for Respondent Nos.1 to 4 & Applicant In
Interim Application No.14407/2023.
Mr. Rahul Kadam for Respondent No.5.

CORAM : RAJESH S. PATIL, J.

DATED : 31 OCTOBER, 2023.

PC.:

1. This Interim Application is filed for withdrawal of amount deposited by the Insurance Company.
2. It is a case of the Applicants that Applicant No.1 is a widow of the deceased and Applicant No.2 is the son of the deceased. The Applicant Nos.3 and 4 are the father and mother of the deceased. The deceased was doing painting work and he was the only earning member of their family and entire family was dependent upon him. The Applicants state that their income has

been totally stopped and they are unable to maintain themselves. Therefore, Applicants have prayed that they be allowed to withdraw the amount deposited.

3. I have heard both the sides and I have gone through the contents of the Interim Application, case is made out to partial allow withdrawal amount deposited.

4. 60% of the 'Award' amount awarded to the Applicant Nos.1, 3 and 4 are allowed to be withdrawn along with accrued interest, as per the ratio mentioned in the impugned Judgment and Award, upon furnishing an undertaking before the concerned MACT to the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.

5. The Registry to see that the money is transferred to the account of the Applicant Nos.1, 3 and 4.

6. 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.

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.)