

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

**INTERIM APPLICATION NO. 2283 OF 2023
IN
FIRST APPEAL (STAMP) NO. 7258 OF 2021**

Gulabi Narayan Poojari ... Applicant

IN THE MATTER BETWEEN

M/s. Bajaj Allianz General Insurance Co. Ltd. ... Appellant

Versus

Gulabi Narayan Poojari and Anr. ... Respondents

....

Mr. Niraj Prajapat, for the Applicant/Respondent No.1.

Mr. Sarthak D. Diwan, for the Appellant.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 15th MARCH, 2023.

P.C.

1. This is an application by the applicant/original respondent No.1 seeking withdrawal of the amount of compensation deposited by the appellant before the Commissioner for Workmen's Compensation and Judge, Labour Court, Mumbai.

2. It is submitted that due to the lockdown from March, 2020 pursuant to a COVID-19 Pandemic, the economic condition of the applicant has been deteriorating day by day. It is submitted that the

applicant has no other source of income for her survival and survival of the family members.

3. Learned Counsel for the appellant objects for withdrawal of the entire amount. However, in view of the reason assigned by the applicant, she is permitted to withdraw 50% amount alongwith accrued interest by making an application to that effect before the concerned Court.

4. The applicant shall undertake that in case the Appeal succeeds, she will refund the said amount with interest which would be accrued at the time of disposal of the appeal.

5. Application stands disposed of.

6. Learned Counsel for the appellant seeks time to file an application for setting aside the order passed by the Registrar (Judicial-II), for which Appeal came to be dismissed. Liberty is granted as prayed for.

[PRITHVIRAJ K. CHAVAN, J.]