

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

**INTERIM APPLICATION NO.16797 OF 2023
IN
FIRST APPEAL NO.485 OF 2023**

Kailas Dagadu Ghanekar And Ors.

...Applicants

Versus

Bajaj Allianz General Insurance Co.Ltd.
Pune

...Respondent

Mr. Sarthak Diwan for the Appellant.

Mr. Shreyash Butala for Respondent and Applicant in IA/16797/2023.

CORAM : RAJESH S. PATIL, J.

DATED : 2 NOVEMBER, 2023.

P.C.:

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

2. It is submitted by the Applicants that they are the parents of the deceased. It is the case that they lost their son in the unfortunate accident, who was only of a tender age of 14 years and would have been 21 years old as of today and would have been a strong support to the agriculturist aging parents. Therefore, they pray that they may be allowed to withdraw the amount partially.

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5. 50% of the 'Award' amount awarded to the Applicant Nos. 1 and 2 allowed to be withdrawn along with accrued interest as per the ratio mentioned in the impugned Judgment and Award, upon furnishing an undertaking before the concerned MACT to the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. Issuance of certified copy of this Order is expedited.

9. The Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)