

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.292 OF 2023
WITH
INTERIM APPLICATION NO.15661 OF 2023
IN
FIRST APPEAL NO.292 OF 2023
WITH
INTERIM APPLICATION NO.2467 OF 2023

Reliance General Insurance
Co. Ltd., Mumbai ...Appellant
V/s.
Mr. Sultan Mohadhdin
Muzawar ...Respondents

Adv. S. Thakr holding for S. Shankar for the Applicant.
Mr. Tejpal S. Ingale for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATED : 25th SEPTEMBER, 2023

PC.:

INTERIM APPLICATION NO.15661 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. Heard both the sides, no reply filed by the Insurance Company opposing this Application.

3. The Applicant submits that due to the unfortunate accident, he has suffered financially and mentally. The Applicant submitted that he has no sufficient source of income, therefore, the present Application has been filed.
4. I have heard both the sides and I have gone through the contents of the Interim Application. According to me, in the interest of justice, it would be appropriate if the Applicants are permitted to withdraw 50% of the 'Award' amount deposited by the Insurance Company as per the ratio mentioned in the impugned judgment and Award.
5. The 50% of the 'Award' amount awarded to the Applicants allowed to be withdrawn, upon furnishing an undertaking before the concerned MACT to the effect that if they fail in this First Appeal, they will return the amount with interest, at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. The Registry to see that the money is transferred in the bank account of the Applicant.
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.

FIRST APPEAL (ST) NO.292 OF 2023

1. Admit.
2. Call for Record and Proceedings.
3. The learned counsel for the parties state that a short issue is involved in this matter, and the matter can be disposed at an early date. The parties agree to file a compilation of document, short synopsis along

with their preposition of law and authorities relied upon by them within two weeks from today.

4. The present Appeal be listed under the captioned “for final hearing in the week commencing from 9th October, 2023..

(RAJESH S. PATIL, J.)