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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16820 OF 2023
IN
FIRST APPEAL NO.460 OF 2023

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Radhabai @ Kusum K. Gite ...Applicant
V/s.
Reliance General Insurance Co. Ltd. & Anr. ...Respondents

Mr.T.J. Mendon for the Applicant in IA and for the Respondent in FA.

Ms.Shalini Shankar for the Appellant.

CORAM : RAJESH S. PATIL, J.
DATE : 30TH OCTOBER, 2023.

P.C. :-

1. This Interim Application is filed for withdrawal of the amount deposited by the Insurance Company before the MACT, Mumbai. The Applicant is senior citizen of 82 years of age, who suffered serious injuries due to unfortunate accident. It is the case of the Applicant that she has spent huge amount on medical expenses. Therefore, the present Interim Application is filed for withdrawal of the amount deposited.

2. Heard both the sides. I have gone through the contents of the Interim Application. Case is made out for partial withdrawal of the amount deposited.

3. The 50% of the 'Award' amount awarded to the Applicant is allowed to be withdrawn along with accrued interest, upon furnishing an undertaking before the concerned MACT to the effect that if she fail in this First Appeal, she will return the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.
4. The Registry to see that the money is transferred to the account of the Applicant.
5. 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.
6. All the parties to act on an authenticated copy of this order. Issuance of certified copy of this order is expedited.
7. The interim application is accordingly disposed of.

(RAJESH S. PATIL, J.)