

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 401 OF 2024

Ram General Insurance Co. Ltd. ... Appellant

Versus

Shanti Rupal Matre and Ors. ... Respondent

WITH

INTERIM APPLICATION NO. 9546 OF 2024

IN

FIRST APPEAL NO. 401 OF 2024

Shanti Rupal Matre and Ors. ... Applicants

In the matter of

Ram General Insurance Co. Ltd. ... Appellant

Versus

Shanti Rupal Matre and Ors. ... Respondents

WITH

INTERIM APPLICATION NO. 6857 OF 2024

IN

FIRST APPEAL NO. 401 OF 2024

Ram General Insurance Co. Ltd. ... Applicant

Versus

Shanti Rupal Matre and Ors. ... Respondent

.....

Ms. Shalini Shankar, Advocate for the Appellant.

Ms. Kavita Anchan i/b. Mr. Vishal A. Dhende, Advocate for Respondent.

CORAM : ARUN R. PEDNEKER, J.

DATED : 21st June, 2024.

P.C. :

1. Heard learned counsel for the parties.

2. Interim Application No. 9546 of 2024 is filed for withdrawal of amount deposited by Insurance Company. Without going into the merits of the Appeal, the application is allowed in terms of prayer clause (a).
3. All the major applicants are permitted to withdraw 60% amount along with accrued interest as deposited by the insurance company before the Tribunal subject to an undertaking to the satisfaction of the presiding officer of the Tribunal that in the event the Insurance Company succeeds in the appeal, the applicants would re-deposit the withdrawn amount within eight weeks.
4. Applicant Nos. 1, 2, 3 and 7 are permitted to withdraw the amount as they are major. All the major applicants to file necessary undertaking.
5. Interim application No. 9546 of 2024 is disposed of.
6. The appeal is admitted.
7. The stay of the impugned order granted earlier stands confirmed till the final disposal of the appeal.
8. Call R & P.
9. Liberty to seek further withdrawal in case of any exigency.

(ARUN R. PEDNEKER, J.)