

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.12809 OF 2024
IN
REJECTED CASE NO.404 OF 2017

Mrs.Jayashri Jayprakash Churi Applicant

V/s.

United India Insurance Co. Ltd. & Anr. Respondents

Mr.Shrishak Chavanke, for the Applicant.

Ms.Varsha Chavan, for Respondent No.1.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th NOVEMBER 2024

P.C:-

1. By this Application, the Applicant is seeking withdrawal of the compensation amount.

2. The learned counsel for the Applicant submits that, the Appeal filed by the Insurance Company is dismissed in default. Thereafter, two restoration Applications were filed. These are also dismissed. Hence, the Applicant be permitted to withdraw the amount of compensation.

3. The learned counsel for Respondent No.1 submits

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that, she wants to file fresh restoration Application and requested to reject the Application.

4. I have heard both learned counsel.

5. As Appeal filed by the Respondent-Insurance Company is dismissed in default. It is not restored. Hence, I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicants are permitted to withdraw 60% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)