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

**INTERIM APPLICATION NO.352 OF 2024
IN
FIRST APPEAL NO.43 OF 2024**

Cholamandalam MS General
Insurance Co. Ltd.

...Applicant/Appellant.

vs.

Sonali Sai Awant and Anr.

...Respondents

Mr. Aditya Ghadge i/b Mr. Sarthak S. Diwan for the Applicant.
Mr. T. J. Mendon with Mr. T. R. Kale for Respondent No.2

CORAM : SHYAM C. CHANDAK, J.

DATE : 7th MAY 2025

P. C. :

. Mr.Ghadge, learned Advocate for the Applicant states that as per interim stay order dated 09/01/2024, the Applicant has deposited entire award amount along with accrued interest in the Tribunal concerned.

2) In view thereof and considering the other reasons stated in the Application, the Application is allowed in terms of prayer clause (b).

3) Application stands disposed of.

4) At this stage Mr.Mendon, learned Advocate for Respondent No.1-original claimant submitted that Respondent No.1 sustained serious injuries in the said accident which caused her considerable disability. The

Trial Court held that Respondent No.1 had suffered 20% permanent partial disability. The claim was filed in the year 2019 and since then Respondent No.1 has been waiting for compensation.

5) The said submission is strongly opposed by learned Advocate for the Appellant.

6) However, considering the submissions by Mr.Mendon, Respondent No.1 is permitted to withdraw 50% of the compensation amount with proportionate interest subject to Respondent No.1 furnishing an undertaking that, in case the Appellant succeeds in this Appeal, Respondent No.1 would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount with Nationalized bank giving highest interest from time to time.

(SHYAM C. CHANDAK, J.)