

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

**INTERIM APPLICATION NO. 6990 OF 2024
IN
FIRST APPEAL (ST.) NO. 27780 OF 2016**

Mr. Arjundas Chhagumal Kukreja and anr. Applicants

In the matter between :-

National Insurance Company Ltd. Appellant

V/s.

Mr. Arjundas Chhagumal Kukreja and Ors. Respondents

Mr. Mahesh Vaswani a/w. Ms. Shreya Tiwari and Ms. Aishwarya
Kadam i/b. Ms. Dharini Nagda for the Applicants in IA/6990/2024.
Ms. Harshada M. Rane for the Appellant – Insurance Company.

CORAM : SHYAM C. CHANDAK, J.

DATED : 30th APRIL, 2025

P.C. :-

- . Heard learned Advocate for the parties.
- 2) Present Application seeking permission to withdraw the entire amount of compensation deposited by the Appellant/Insurance Company.
- 3) Learned Advocate for the Appellant opposed the Application.
- 4) The Applicants are parents of the deceased. They were dependent on the income of the deceased. The claim was filed in the year 2008. Since then, the Applicants have been waiting for the compensation. The Appellant as well as the owner of the offending vehicle were held liable to jointly and severally pay the compensation.
- 5) In view thereof, the Applicants are permitted to withdraw 50%

of the compensation amount of their share with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicants/Claimants would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount of compensation with nationalized bank giving highest interest from time to time.

6) Interim Application stands disposed of.

**PREETI
HEERO
JAYANI**

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(SHYAM C. CHANDAK, J.)