

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

**INTERIM APPLICATION NO. 10805 OF 2024
IN
FIRST APPEAL (STAMP) NO. 19353 OF 2024**

Reliance General Insurance Co. Ltd. ... Applicant
Versus
Devyang Indravadan Lakhani & anr. ... Respondents

**WITH
INTERIM APPLICATION NO. 1676 OF 2025
IN
FIRST APPEAL (STAMP) NO. 19353 OF 2024**

Devyang Indravadan Lakhani ... Applicant
Versus
Reliance General Insurance Co. Ltd. & anr. ... Respondents

IN THE MATTER OF

Reliance General Insurance Co. Ltd. ... Appellant
Versus
Devyang Indravadan Lakhani & anr. ... Respondents

Mr. Avesh A. Ghadge i/b. Mr. Akshay A. Kulkarni, Advocates, for the Applicant
Ms. Rina Kundu, Advocate, for Respondent No. 1 in F. A. (St.) No. 19353 of 2024

CORAM : SHYAM C. CHANDAK, J.

DATE : 12th FEBRUARY, 2025

P.C. :

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. The present Application is seeking to stay the effect/implementation/execution and operation of the Judgment, Order

and Award dated 27th February, 2023 passed in MACT Application No. 1436 of 2014.

2. Learned counsel for the Applicant – Insurance Company stated that the Order dated 27th February, 2023 has been complied with by depositing the entire amount alongwith interest. In view thereof, interim stay granted by the said Order is confirmed till the final disposal of the Appeal.

3. Interim Application No. 10805 of 2024 is allowed in terms of prayer clause (b) and stands disposed of.

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. Mentioned. Not on board.

2. The present Application is seeking permission to withdraw the compensation amount.

3. The learned counsel for the Applicant submitted that the Applicant had to spent large amount on his medical treatment. The Applicant has suffered considerable disability on account of the accidental injuries.

4. Mr. Kulkarni, learned counsel for the Appellant states that the Appellant has deposited Rs. 40,44,790/- before the MACT, Mumbai which is inclusive of the interest.

5. The accident is of the year 2014. The Appeal would take time for final hearing and disposal.

6. In view of the above and considering the other facts of the case, the Applicant/Claimant is permitted to withdraw 50% of the compensation amount along with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant/Claimant would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest 50% of the amount with Nationalized Bank giving highest interest from time to time. The statutory amount deposited in this Court shall be transferred to the Tribunal.

7. Interim Application No. 1676 of 2025 stands disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)