

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

INTERIM APPLICATION NO. 13688 OF 2024

WITH

INTERIM APPLICATION NO. 13690 OF 2024

IN

FIRST APPEAL (ST.) NO. 26239 OF 2024

United India Insurance Co. Ltd.

.... Appellant

V/s.

Mr. Amit Vasudeo Gawali and anr.

.... Respondents

WITH

INTERIM APPLICATION NO. 1680 OF 2025

IN

FIRST APPEAL (ST.) NO. 26239 OF 2024

Mr. Amit Vasudeo Gawali

..... Applicant

In the matter between :-

United India Insurance Co. Ltd.

.... Appellant

V/s.

Mr. Amit Vasudeo Gawali and anr.

.... Respondents

Ms. Varsha Chavan for the Applicant in IA/13688/2024 and
IA/13690/2024.

Ms. Sarika Kamble for the Applicant in IA/1680/2025.

CORAM : SHYAM C. CHANDAK, J.

DATED : 10th FEBRUARY, 2025

P.C. :-

ORDER IN INTERIM APPLICATION NO. 13688 OF 2024 :-

. Service report in respect of notice issued to the Respondent
No.2, is awaited.

2) Stand over to 04th March, 2025.

ORDER IN INTERIM APPLICATION NO. 1680 OF 2025 :-

3) Learned Advocate for the Applicant/Original Claimant submits
that the Applicant/Claimant may be permitted to withdraw the

compensation amount deposited by the Appellant with the Motor Accident Claims Tribunal.

4) Ms. Varsha Chavan, learned Advocate for the Appellant states that the Appellant has deposited Rs.28,44,276/- before the MACT, Mumbai which is inclusive of the interest.

5) The accident is of the year 2013. The Applicant was injured in the said accident and suffered substantial disability. 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 Nationalised 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.1680 of 2025 stands disposed of in the aforesaid terms.

(SHYAM C. CHANDAK, J.)