

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

**INTERIM APPLICATION NO. 7378 OF 2024  
IN  
FIRST APPEAL NO. 1901 OF 2024**

Reliance General Insurance Co. Ltd. .... Applicant  
V/s.  
Mr. Vishnu Tirthdas Tharaney and anr. .... Respondents

**WITH  
INTERIM APPLICATION NO. 14516 OF 2024  
IN  
FIRST APPEAL NO. 1901 OF 2024**

Vishnu Tirthdas Tharaney .... Applicant

In the matter between :-

Reliance General Insurance Co. Ltd. .... Appellant  
V/s.  
Mr. Vishnu Tirthdas Tharaney and anr. .... Respondents

Mr. Vasant More for the Applicants in IA/14516/2024.  
Mr. Avesh Ghadge i/b. Mr. Akshay Kulkarni for the Appellant.

**CORAM : SHYAM C. CHANDAK, J.**

**DATED : 08<sup>th</sup> APRIL, 2025**

**P.C. :-**

**ORDER IN INTERIM APPLICATION NO. 14516 OF 2024 :-**

- . Heard learned Advocate for the respective parties.
- 2) Present Application filed by the Applicants/Original Claimants seeking withdrawal of the entire compensation amount deposited by the Appellant.
- 3) Mr. Ghadge, learned Advocate for the Appellant opposed the Application.

4) Mr. More, learned Advocate submitted that the Applicant/Claimant is aged 86 years. He suffered 25% disability on account of the accidental injuries. The accident occurred in the year 2015. Since then, the Applicant has been waiting for the compensation amount.

5) In view thereof and considering the other reasons stated in the Application, the Applicant is permitted to withdraw 50% of the compensation amount with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest the remaining amount of compensation with nationalized bank giving highest interest from time to time.

6) Interim Application stands disposed of.

**ORDER IN INTERIM APPLICATION NO. 7378 OF 2024 :-**

7) In view of the statement made by Mr. Ghadge, learned Advocate that the Appellant/Applicant has deposited the entire amount of compensation along with interest accrued thereon, the ad-interim stay granted vide Order dated 02<sup>nd</sup> April, 2024 stands confirmed.

8) Application is allowed in terms of prayer clause (b) and stands disposed of.

**ORDER IN FIRST APPEAL NO. 1901 OF 2024 :-**

9) Issue notice to the Respondents, returnable on **21<sup>st</sup> April, 2025**. Mr. Vasant More, learned Advocate waives service of notice on behalf of

**Respondent No.1.**

10) The Appellant to provide copy of the Appeal to the Registry, for service of notice on Respondent No.2. In addition to Court's notice, the Appellant to serve the Respondent No.2 with private notice and file affidavit of service before the returnable date. Hamdast allowed.

**(SHYAM C. CHANDAK, J.)**