

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

**INTERIM APPLICATION NO.1674 OF 2025
IN
FIRST APPEAL ST. NO.3686 OF 2023**

Shrawani Sanjeev Zagade & Ors. ...Applicants
vs.
The United India Insurance
Company Ltd. ...Respondents

Mr. Shreyash Sudhir Butala for the Applicants-claimants.

Mr. Nikhil Mehta i/b KMC Legal Venture for the Respondents.

CORAM : SHYAM C. CHANDAK, J.

DATED : 11th FEBRUARY, 2025

P. C. :

. Present Applicants/claimants are seeking withdrawal of the compensation amount. Perused the Application.

2) Heard learned Counsel for the Applicants/Claimants and learned Advocate for Respondent-Appellant.

3) Pursuant to the Judgment and Order dated 25th May, 2022 passed in M.A.C.P. No.37 of 2019, the Respondents/Appellants - Insurance Company has deposited entire compensation amount. The said compensation amount has been apportioned amongst Applicant Nos.1 to 4 in ratio of 35 : 25 : 25 : 15, respectively.

4) Learned Advocate for the Applicants submits that withdrawal is prayed on the ground of domestic expenses, medical expenses and future expenses of Applicant Nos.2 and 3. Applicant Nos.2 and 3 are minor. The Applicant No.1 is permitted to receive monthly interest on the compensation amount awarded to the Applicant Nos.2 and 3, which is invested in their names in a Nationalised bank.

5) Applicant Nos.1 and 4 are permitted to withdraw 50% of the compensation amount deposited by the Respondent-Appellant with the Tribunal along 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 50% of the amount with Nationalised bank giving highest interest from time to time.

6) The statutory amount deposited in this Court shall be transferred to the Tribunal.

7) Interim Application No.1674 of 2025 stands disposed of.

[SHYAM C. CHANDAK, J.]