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

**INTERIM APPLICATION NO.3751 OF 2025
IN
FIRST APPEAL NO.523 OF 2024**

Dadarao Rambhau Borde ...Appellant

In the matter between

United India Insurance Co. Ltd. ...Appellant

vs.

Dadarao Rambhau Borde & Ors. ...Respondent

**WITH
FIRST APPEAL NO.523 OF 2024**

United India Insurance Co. Ltd. ...Appellant

vs.

Dadarao Rambhau Borde & Ors. ...Respondent

Ms. Prachi Khandge i/b Apurva Kulkarni for the Applicant in IA No.3751/2015.

Ms. Deepti Thorat i/b Sandeep Jinsiwale for the Appellant in FA No.523/2024 and Respondent in IA No.3751/2015.

CORAM : SHYAM C. CHANDAK, J.

DATE : 22nd APRIL 2025

P. C. :

INTERIM APPLICATION NO.3751 OF 2015

. Heard.

2) Present Application filed by Respondent No.1-claimant

seeking permission to withdraw the entire compensation amount alongwith the accrued interest.

3) The Application is opposed by Ms.Thorat, the learned Advocate for the Appellant.

4) The accident occurred on 23/04/2012. As held by the Tribunal, the Applicant has suffered 15% permanent partial disability on account of the accidental injuries. Considerable amount was spent by the Applicant towards his medical treatment. The Applicant has been waiting for the compensation since the date of accident.

5) In view thereof, the Applicant is permitted to withdraw 50% of the compensation amount along with proportionate interest subject to furnishing an 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 remaining amount with Nationalized bank giving highest interest from time to time.

6) Application is disposed of, accordingly.

FIRST APPEAL NO.523 OF 2024

. Learned Advocate for the respective parties submitted that they are ready to file the compilation of documents as per Tribunal's record and requested that the Appeal may be taken up for final hearing at the stage of admission.

- 2) The compilation of the documents be filed on or before the next date.
- 3) List the Appeal for final hearing on **11th June 2025**.

(SHYAM C. CHANDAK, J.)