

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

**INTERIM APPLICATION NO. 6535 OF 2025
IN
FIRST APPEAL NO. 1024 OF 2024**

Sunita Keshav Tharval and Ors. Applicants

In the matter between :-

Future General India Insurance Co. Ltd. Appellant

V/s.

Sunita Keshav Tharval and Ors. Respondents

Mr. Mayank Tripathi i/b. Mr. Bhushan Walimbe for the Applicants in
IA/6535/2025.

Mr. Rajesh Kanojia for the Appellant – Insurance Co.

CORAM : SHYAM C. CHANDAK, J.

DATED : 25th MARCH, 2025

P.C. :-

ORDER IN INTERIM APPLICATION NO. 6535 OF 2025 :-

- . Heard learned Advocates for the respective parties.
- 2) Present Application is seeking permission to withdraw the entire compensation amount along with interest accrued, deposited by the Appellant – Insurance Company.
- 3) The Application is strongly opposed by the learned Advocate for the Appellant.
- 4) The withdrawal is mainly pressed on the ground that the Applicants are in need of the compensation amount to treat the age related ailments of the Applicant No.1.

5) In view thereof and considering the defense raised by the Appellant – Insurance Company, the Applicant No.1 is permitted to withdraw Rs.1,50,000/- with interest accrued thereon till date, subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant No.1 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) The statutory amount deposited in this Court shall be transferred to the Tribunal.

7) Interim Application stands disposed of.

ORDER IN FIRST APPEAL NO. 1024 OF 2024 :-

8) Learned Advocates for the parties undertake to file compilation of documents on the next date.

9) List the Appeal on **10th June, 2025** under the caption ‘for final hearing’.

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JAYANI

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(SHYAM C. CHANDAK, J.)