

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

**INTERIM APPLICATION NO.6823 OF 2025
IN
FIRST APPEAL NO. 1813 OF 2024**

Shakuntala Mohan More ...Applicant

IN THE MATTER BETWEEN

Branch Manager, The New India
Assurance Co. Ltd. Pune ...Appellant

V/s.

Shakuntala Mohan More And Anr. ...Respondents

**WITH
INTERIM APPLICATION NO.14757 OF 2024
IN
FIRST APPEAL NO. 1813 OF 2024**

Branch Manager, The New India
Assurance Co. Ltd. Pune ...Applicant

IN THE MATTER BETWEEN

Branch Manager, The New India
Assurance Co. Ltd. Pune ...Appellant

V/s.

Shakuntala Mohan More And Anr. ...Respondents

**WITH
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Branch Manager, The New India
Assurance Co. Ltd. Pune ...Appellant

V/s.

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Mr. Yogesh Pande, for the Applicant in IA6823/2025 and Respondent No.1
in FA/1813/2024.

Mr. Himanshu Takke i/by Mr. Milind V. More, for the Appellant-Assurance
Company.

CORAM : SHYAM C. CHANDAK, J.

DATED : 04th APRIL, 2025

P.C. :-**INTERIM APPLICATION NO.6823 OF 2025**

. Heard.

2) Present Application filed by the Original Claimant seeking permission to withdraw the compensation amount.

3) Mr. Takke, the learned Advocate for the Appellant opposed the Application.

4) The Applicant has sustained 21% disability. The accident occurred in the year 2017. Since then the Applicant has been waiting for the compensation amount.

5) In view thereof and considering the other grounds stated in the Application, the Applicant is permitted to withdraw 50% of the compensation amount alongwith proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant would refund the said amount alongwith 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) Interim Application stands disposed of.

INTERIM APPLICATION NO.14757 OF 2024

. Heard.

2) Mr. Takke, the learned Advocate for the Applicant/ Assurance Company submitted that, as directed in the Order dated 18th November, 2024, the Applicant has deposited entire award amount alongwith accrued

interest with the Tribunal concerned. In view thereof, the Application is allowed in terms of prayer clause (a).

3) Interim Application stands disposed of.

FIRST APPEAL NO. 1813 OF 2024

. Issue notice to the Respondents, returnable on **3rd July, 2025**.

2) Mr. Pande, the learned Advocate waives notice on behalf of the Respondent No.1.

3) The Appellant to provide copies of the Appeal to the Registry, for service of notice on the 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 on or before the returnable date. ***Hamdast*** allowed.

(SHYAM C. CHANDAK, J.)