

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

**INTERIM APPLICATION NO.6835 OF 2025
IN
FIRST APPEAL (ST) NO.31309 OF 2024**

Sayed Imtiyaz Mushrraf Husain And Ors. ...Applicants

IN THE MATTER BETWEEN

The Bajaj Allianz Insurance Co. Ltd. ...Appellant

Vs.

Sayed Imtiyaz Mushrraf Husain And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.14784 OF 2024
WITH
INTERIM APPLICATION NO.14783 OF 2024
IN
FIRST APPEAL (ST) NO.31309 OF 2024**

The Bajaj Allianz General Insurance Company Ltd. ...Applicant

Vs.

Sayed Imtiyas Mushrraf Husain And Ors. ...Respondents

Ms. Yashika Jain i/by Jitendra Gor, for the Applicants in IA/6835/2025.

Mr. Aditya Ghadge i/by Mr. Sarthak S. Diwan, for the Appellant.

CORAM : SHYAM C. CHANDAK, J.

DATED : 04th APRIL, 2025

P.C. :-

INTERIM APPLICATION NO.6835 OF 2025

. Heard.

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

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

4) The Tribunal directed the Appellant and owner of the vehicle to pay the compensation jointly and severally. The accident occurred in the year 2018. Since then the Applicants have been waiting for the compensation amount. The Applicant Nos.3 and 4 are minor.

5) In view thereof and considering the other grounds stated in the Application, the Applicant Nos.1 and 2 are permitted to withdraw 50% of their share in the compensation amount alongwith proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant Nos.1 and 2 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.

IA/14784/2024 AND IA/14783 OF 2024

. Stand over to **17th April, 2025.**

(SHYAM C. CHANDAK, J.)