

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

**INTERIM APPLICATION NO. 8059 OF 2025
IN
FIRST APPEAL NO. 57 OF 2025**

Mr. Deepak Krishna Varandekar Applicant

In the matter between :-

The Oriental Insurance Co. Ltd., Mumbai Applicant

V/s.

Deepak Krishna Varandekar and anr. Respondents

Mr. T.J. Mendon for the Applicant in IA/8059/2025 and for
Respondent No.1 in Appeal.

Mr. Sudhakar Pandaram i/b. Mr. Alok Bhatt for the Applicant/Appellant –
Insurance Co.

CORAM : SHYAM C. CHANDAK, J.

DATED : 07th MAY, 2025

P.C. :-

- . Heard learned Advocate for the parties.
- 2) Present Application filed by the Original Claimant seeking withdrawal of the compensation amount along with accrued interest.
- 3) The Application is opposed by the learned Advocate for the Appellant. However, he states that the Appellant has no statutory defence nor defence of fake policy.
- 4) The withdrawal is sought on the ground that the Applicant has sustained 43% permanent partial disability as per the opinion recorded by the Medical Board. However, the Tribunal considered the disability to the

extent of 20% only. The Applicant has incurred Rs.3,49,000/- on his medical treatment.

5) In view thereof, the Applicant is permitted to withdraw 50% of the compensation amount along with proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicant/Claimant would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount of compensation with nationalized bank giving highest interest from time to time.

6) Interim Application stands disposed of.

PREETI
HEERO
JAYANI

(SHYAM C. CHANDAK, J.)

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