

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO. 3307 OF 2019
IN FIRST APPEAL NO. 774 OF 2018

(Bajaj Allianz General Insurance Co. Ltd. Vs. Suresh @ Sanjay Sattuji Tembhare (dead) thr.
LRs Smt. Munni wd/o Suresh Tembhare & Ors. & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri D.N. Kukday, Advocate for the appellant.
Shri S.O. Ahmed, Advocate for the LR's of respondent
No.1.

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CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 05, 2021.

Heard.

2] This is an application filed by the applicants, i.e., respondent Nos.1-A to 1-C seeking withdrawal of amount deposited by the appellant.

3] It is stated that the original claimant Suresh died on 23/09/2018 by committing suicide leaving behind his legal heirs, i.e., the present applicants. It is further stated that respondent No.1-A, i.e., the widow of the deceased is debt ridden and except the labour work, she has no other source of income. That the other two applicants are student. It is further submitted that the deceased committed suicide because he was fed up with his physical

disability occurred due to the motor accident and he was not able to work as a mechanic.

4] Given the aforesaid submissions, so also considering the financial crisis which are being faced by the applicants because of unfortunate untimely death of the deceased, the applicants are permitted to withdraw the entire decretal amount, i.e., Rs.1,99,366/- deposited by the appellant with interest accrued thereon on furnishing usual undertaking before the Registrar (Judicial). The Registry of this Court is directed to deposit the said amount in the bank account of the applicants within a period of two weeks from the date the details of the bank account are being submitted by the learned counsel for the applicants.

5] With the aforesaid directions, the Civil Application stands disposed of.

JUDGE

Sumit