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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 16527 OF 2022
IN
FIRST APPEAL (ST) NO. 3625 OF 2022**

Pushpa Ramakant @ Ramesh Jadhav & Ors Applicants

V/s.

Reliance General Insurance Company Ltd & Ors.Respondents

Mr. Pandit Kasar, Advocate for the Applicants.

Mr. Pritesh Bhonde, Advocate for the Respondents.

CORAM : GAURI GODSE, J.

DATE : 29th AUGUST, 2022.

P.C.

1. This Application is filed by the Claimants for withdrawal of amount. It is submitted on behalf of the Claimants that the family of the Claimants is suffering financial difficulties due to death in the family, as the deceased was sole earning member of the family. Hence the Claimants are requesting for withdrawal of the amount. There is no reply filed to the Application. However, it is submitted on behalf of the Appellant that since the short point is involved the Appeal itself be disposed of at admission stage.

2. There is separate order passed in the Appeal, that appeal can be disposed of at admission stage. However, considering the grounds mentioned in the present application it will be in the interest of justice that the applicants-claimants are allowed to withdraw 50% of the amount deposited as per the impugned judgment and order.
3. The applicants/claimants are allowed to withdraw 50% of the amount deposited by the Appellant as per the impugned judgment and order, subject to submitting an undertaking that the amount so withdrawn will be brought back at the prevailing rate of interest in the event the First Appeal is allowed.
4. The Interim Application stands disposed of.

[GAURI GODSE, J.]