

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.17618 OF 2022

IN

FIRST APPEAL (STAMP) NO.2374 OF 2020

Jamuna Jagannath Godse & Ors. ... Applicants/Claimants

V/s.

Bajaj Allianz General Insurance Co. Ltd. &
Anr. ... Respondents

In the matter between:-

Bajaj Allianz General Insurance Co. Ltd. ... Appellant

V/s.

Jamuna Jagannath Godse & Ors. ... Respondents

Mr. Pritesh Borade for Applicants/Claimants.

Mr. Sarthak S. Diwan for Respondents.

CORAM : S.G. DIGE, J.

DATED : 8 MARCH, 2023

P.C.:

1. Heard learned counsel for the Applicants and learned counsel for the Respondents.

2. Learned counsel for Applicants submits that deceased was the sole earning member of Applicants' family. After the death of deceased, the Applicants are facing starvation. They need the amount for their delay expenses. They have no source of income. Hence, requested to allow the Application.

3. I have heard both learned counsel, deceased was the only earning member of the Applicants' family. Applicant No.1 is the widow

of the deceased and Applicant Nos.2 and 3 are the son and daughter of the deceased. The Applicants need the amount for their daily expenses. They have no source of income. Hence, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicants are permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.
- (iii) Interim Application is disposed of.

(S.G. DIGE, J.)