

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

Digitally signed
by VASANT
ANANDRAO
IDHOL
Date: 2023.09.14
15:31:22 +0530

INTERIM APPLICATION NO.3061 OF 2022
IN
FIRST APPEAL NO.412 OF 2022

Reliance General Insurance Co. Ltd. ...Applicant
V/s.
Poonam M. Sasne & Ors. ...Respondents

None for the Applicant.

Mr.R.C. Barge for Respondent No.1.

Mr.Ganesh Bhujbal i/b Mr.Balasaheb Deshmukh for Respondent
No.2.

CORAM : RAJESH .S. PATIL, J.
DATE : 13TH SEPTEMBER, 2023.

P.C. :-

1. This Interim Application is filed seeking stay of the impugned judgment and order dated 15 June 2021 passed by MACT, Pune.
2. The order dated 19 April 2023, interim injunction was granted subject to the Appellant Insurance Company depositing the entire decretal amount before MACT, Pune.
3. Advocate for Respondent No.1 states that the Insurance Company has deposited the entire decretal amount before MACT,

Pune. Hence this Interim Application is disposed of and interim injunction granted by an order dated 19 April 2023 is hereby confirmed till the disposal of the First Appeal.

4. Interim Application is accordingly disposed of.

INTERIM APPLICATION NO.13683 OF 2023
IN
FIRST APPEAL NO.412 OF 2022

Poonam M. Sasne	...Applicant
V/s.	
Reliance General Insurance Co. Ltd.	...Respondents

1. This Interim Application is filed by the Original Claimant for withdrawal of the decretal amount deposited by the Insurance Company.

2. It is the case of the Applicant that her mother was doing flower business of selling the same at market yard. She unfortunately met with an accident on 28 August 2014, due to which she died. The Applicant has stated the Applicant is taking education and have no source of income and in need of financial assistance for taking further higher education, so that she settles in her life. Therefore, the Applicant sought withdrawal of decretal amount deposited by the Insurance Company. The Applicant further stated that she is residing with her relatives who is her maternal uncle. She does not have the

residential accommodation of her own and she required shelter of relatives.

3. I have heard learned counsel. No reply is filed opposing this Interim Application. I have gone through the contents of the Interim Application and also satisfied that case is made out for partial withdrawal of the decretal amount deposited at MACT, Pune.

4. The 50% amount awarded to the Applicant is allowed to be withdrawn upon furnishing an undertaking before the concerned MACT to the effect that if she fails in this First Appeal, she will return the amount with interest, at such rate as may be directed by this Court at the time of disposal of the First Appeal.

5. The balance amount shall be invested in the fixed deposit of a nationalized bank initially for a period of one year and thereafter for like period depending upon the pendency of this Court.

6. The Interim Application is accordingly disposed of.

7. All parties to act on the authenticated copy of this order. Issuance of certified copy of this order is expedited.

(RAJESH S. PATIL, J.)