

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.14314 OF 2023
IN
FIRST APPEAL NO.506 OF 2021

Varsharani Digambar Jagtap and ors.	Applicants
In the matter of	
Reliance General Insurance Company Limited, Solapur.	Appellant
versus	
Varsharani Digambar Jagtap and ors.	Respondents

Mr. Dhananjay Chavan, Advocate for the Applicants/Appellants.
Mr. Pandit Kasar, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th DECEMBER, 2023.

P.C. :

1. Heard learned counsel for the applicants and learned counsel for appellant– Insurance Company.
2. Learned counsel for the applicants submitted that deceased was the sole earning member of the applicants’ family. The applicants have no source of income, they need the amount for daily expenses. He further submitted that the appellant-insurance company has deposited 50% amount out the total award amount as per the order of this Court dated 23rd November 2021. Hence, requested to allow the application.

SHUBHADA
SHANKAR
KADAM

Digitally
signed by
SHUBHADA
SHANKAR
KADAM
Date:
2023.12.22
17:23:40
+0530

3. Learned counsel for the appellant-Insurance Company strongly objected to allow the application on the ground that Tribunal has awarded compensation on higher side without any evidence on record. Hence, requested to reject the application.

4. I have heard both learned counsel. The deceased was the sole earning member of the applicants' family. Applicants have no source of income. They need the amount for daily expenses. Hence, I pass following order :

ORDER

1. Application is allowed.
2. The applicants are permitted to withdraw 80% amount along with accrued interest thereon, out of the deposited amount, on furnishing usual undertaking.

The application stands disposed off.

(SHIVKUMAR DIGE, J.)