

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.14790 OF 2023
IN
FIRST APPEAL NO.831 OF 2023**

Smt.Nita @ Lata Nanaso Kore & Ors.	...Applicants
Versus	
Reliance General Insurance Company	...Respondent

Mr. Sarthak Diwan for the Applicant in IA No.14790/2023 & for Respondent in FA No.831/2023.

Mr. Akshay Kulkarni Appellant in FA No.831/2023.

CORAM : RAJESH S. PATIL, J.

DATED : 26 OCTOBER, 2023

PC.:

1. This Application is filed for withdrawal of the amount deposited by the Insurance Company.

2. The Applicants have stated that the deceased was the sole earning member in the family and the family was depended upon him for the income of the household. The Applicant No.1 is the wife of the deceased and the Applicant No.2 is the son of the deceased. Applicant Nos. 3 and 4 are the parents of the deceased and they are senior citizens. The Applicant No.2 is studying in the school. There is no earning member in the family, therefore, the

family of the deceased is depended upon their relatives and friends. So also, the Applicant Nos. 3 and 4 being senior citizens and they have medical expenses for which they required regular monies.

3. I have heard both sides and I have gone through the contents of the Interim Application.

6. 50% of the 'Award' amount awarded to the Applicant Nos. 1, 3 and 4 are allowed to be withdrawn along with accrued interest, as per the ratio given in impugned Award upon furnishing an undertaking before the concerned MACT to the effect that if they fail in this First Appeal, they 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.

7. The Registry to see that the money is transferred to the account of the Applicant Nos. 1, 3 and 4.

8. 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 the pendency of this Court.

9. All the parties to act on an authenticated copy of this order.

10. The Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)