

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

**INTERIM APPLICATION NO.16777 OF 2023  
IN  
FIRST APPEAL (ST) NO.16956 OF 2022**

Smt. Sujata Pradeep Ahire & Ors. ...Applicants  
Versus  
HDFC Ergo General Insurance Co. Ltd.  
Mumbai ...Respondent

Ms. Shweta Shah i/by Mr. Abhijit Kulkarni for the Appellant.  
Mr. Vasant More for Respondent and Applicant in Interim Application  
No.16777 of 2023.

**CORAM : RAJESH S. PATIL, J.**

**DATED : 1 NOVEMBER, 2023.**

**P.C.:**

1. This Interim Application is filed for withdrawal of the amount deposited by the Insurance Company.
2. It is submitted that Applicant No.1 is a widow of the deceased and she is a homemaker. Applicant No.2 is a married daughter of the deceased and Applicant Nos.3 and 4 are also the daughters of the deceased and they are still studying. It is submitted in the Application that monies are required for education of Applicant Nos.3 and 4, as they are still studying. Applicant No.1 is a homemaker and is not working for gain. Applicant No.2 has just got married and their not enough monies for day to day expenses of the household.

3. I have heard both the sides and I have gone through the contents of the Interim Application. The case is made out for partial withdrawal of the amount.

4. Rs.14,00,000/- of the 'Award' amount awarded to the Applicant No.1 is allowed to be withdrawn along with accrued interest, upon furnishing an undertaking before the concerned MACT to the effect that if they fail in this First Appeal, they will return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.

5. The Registry to see that the money is transferred to the account of the Applicant.

6. 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.

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

8. The interim application is accordingly disposed of.

***(RAJESH S. PATIL, J.)***