

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
INTERIM APPLICATION NO. 13889 OF 2024
IN
FIRST APPEAL NO. 521 OF 2024

Pravina Sandip Patil and Ors. Applicants

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd. And Anr. Appellant

Versus

Pravina Sandip Patil and Ors. Respondents

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WITH
INTERIM APPLICATION NO. 7383 OF 2024
IN
FIRST APPEAL NO. 521 OF 2024

Reliance General Insurance Co. Ltd Applicant

Versus

Pravina Sandip Patil and Ors. Respondents

Mr. Pritesh K. Bohade, for the Applicant in IA/13889 AND Respondents in IA/7383/2024.

Mr. Avesh Ghadge i/b Mr. Akshay Kulkarni, for the Respondents in IA/13889/2024 & Applicant in IA/7383/2024.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th NOVEMBER, 2024.

P.C. :

INTERIM APPLICATION NO. 13889 OF 2024

1. By this application, Applicant is seeking withdrawal of the amount.
2. It is contention of learned counsel for the Applicant that deceased was the Karta of his family, due to death of deceased the Applicants are facing financial difficulty. It may take time to dispose of the appeal. The trial Court has awarded the compensation hence, requested to allow the application.
3. It is contention of learned counsel for the Respondent/Insurance Company strongly objected to allow the application and that at the time of accident driver of offending vehicle was not holding valid driving licence and the compensation is awarded on higher side without any reasonable ground. Hence, requested to reject the application.
4. I have heard both learned counsel. Deceased was the Karta of his family. Applicants needs the amount for their daily expenses. The issue raised by the learned counsel for the Respondent can be considered at the time of final hearing of the appeal.
5. In view of above, I pass following order.

ORDER

- i. Application is allowed.
- ii. Applicants are permitted to withdraw 50 % amount along with accrued interest thereon out of deposited amount, on furnishing usual undertaking.

INTERIM APPLICATION NO. 7383 OF 2024

1. Learned counsel for the applicant.
2. Learned counsel for the applicant submits that applicant has deposited entire award amount along with accrued interest thereon.
3. Considering the submissions of the learned counsel for the applicant and reasons mentioned in the application, the impugned order passed by the Tribunal is stayed till final disposal of the appeal. Application is disposed of.

FIRST APPEAL NO. 521 OF 2024

1. Stand over to 2nd December, 2024 for “final hearing”

(SHIVKUMAR DIGE, J.)