

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

INTERIM APPLICATION NO. 979 OF 2024

IN

FIRST APPEAL NO. 972 OF 2023

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Meerabai Kashinath Amodkar & Ors.Applicants

Versus

Shriram General Insurance Co. Ltd. PuneRespondent

Mr. Pandit Kasar, Advocate for the Applicant.

Mr. D. D. Shinde, Advocate for the Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th FEBRUARY, 2024.

P.C. :

1. By this application, Applicants are seeking withdrawal of amount.

2. Learned counsel for the Applicants submits that deceased was the sole earning member of Applicants' family. The Applicants have no source of income. They need the amount for daily expenses. Hence, requested to allow the Application.

3. Learned counsel for the Respondent/Insurance Company submits that the offending vehicle was falsely involved in the accident but, this fact is not considered by the Tribunal. Hence, requested to reject the Application.

4. I have heard both learned counsel. The deceased was the sole earning member of the Applicants' family. The Applicants have no source of income, they need the amount for daily expenses. The grounds raised by learned counsel for the Respondent/Insurance Company can be considered at the time of final hearing of the Appeal. Hence, considering this fact, I pass following order:

ORDER

- i. Application is allowed.
 - ii. Applicants are permitted to withdraw 25% amount out of deposited amount along with accrued interest thereon, on furnishing undertaking.
5. The application is disposed of.

(SHIVKUMAR DIGE, J.)