

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8472 OF 2024

IN

FIRST APPEAL NO. 246 OF 2024

Kusum Dattatraya Suryavanshi (Deleted) and Ors. ... Applicants

IN THE MATTER BETWEEN :

Dy. General Manager, Iffco Tokiyo General Insurance ... Appellant
Company Ltd.

Versus

Kusum Dattatraya Suryavanshi (Deleted as per ... Respondents
Exhibit 17) and Ors.

Mr. Pritesh K. Bohade, Advocate for the Applicant.

Mr. Rahul Mehta i/b. KMC Legal Venture, Advocate for Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MAY, 2024.

P.C. :

1. Heard learned counsel for the Applicants and learned counsel for Appellant.

2. It is the contention of learned counsel for the Applicants that the deceased was the sole earning member of the Applicants' family. Applicants have no source of income. They need the amount for their daily expenses. Hence requested to allow the application.

3. Learned counsel for the Appellant-Insurance Company strongly objects for allowing the application and requested to reject the application.

4. I have heard both the learned Counsel. The deceased was a sole earning member of the applicants' family. They need the amount for daily expenses. The issue raised by the Appellant -Insurance Company can be considered at the time of final hearing. Considering this facts, 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, subject to filing usual undertaking.

5. Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)

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