

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

INTERIM APPLICATION NO. 8473 OF 2024

IN

FIRST APPEAL (ST) NO. 446 OF 2024

Nisha Harshad Londhe & Ors.Applicants

IN THE MATTER BETWEE

The Reliance Gen. Ins. Co. Ltd. MumbaiAppellant

Versus

Nisha Harshad Londhe & Ors.Respondents

Mr. T. R. Kale i/b Mr. T. J. Mendon, Advocate for the
Applicant/Respondent Nos.1 to 3.

Mr. Akshay Kulkarni, Advocate for the Appellant/Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th MAY, 2024.

P.C. :

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

2. It is contention of learned counsel for the Applicants, deceased was the sole earning member of Applicants' family. Applicants have no source of income. Applicants need the amount for

their daily expenses. Hence, requested to allow the Application.

3. Learned counsel for the Appellant/Insurance Company submits that Tribunal has considered income of the deceased considered on higher side. Hence, requested to reject the Application.

4. I have heard both learned counsel.

5. The deceased was the sole earning member of Applicants' family. Applicants have no source of income. Applicants need the amount for their daily expenses. The issue raised by the learned counsel for the Appellant/Insurance Company can be considered at the time of final hearing of the Appeal and, I pass following order:

ORDER

- i. Application is allowed.
- ii. The Applicant is permitted to withdraw 50% amount out of deposited amount along with accrued interest thereon, on furnishing undertaking.
- . The interim application stands disposed of.

(SHIVKUMAR DIGE, J.)