

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.142 OF 2024
IN
FIRST APPEAL NO. 297 OF 2023

Mrs.Umamaheshwari Iyyappan & Ors.Applicants
V/s.

Reliance General Insurance Co. Ltd.,Respondent
Mumbai

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Mr.Niketan Nakhawa, for the Applicants.
Ms.Shalini Shankar, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th FEBRUARY 2024

P.C:-

. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicants submit that, the deceased was sole earning member of Applicant's family. The Applicants needs the amount for their daily expenses. Hence, requested to allow the Application.

3. The learned counsel for the Respondent has objected to allow the Application on the ground that, no income proof was

produced on record to prove the income of deceased. The Tribunal has considered the income of the deceased on higher side. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the family, the Applicants needs the amount for their daily expenses. They have no source of income. The issue raised by the Respondent can be considered at the time of the final hearing. Hence I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicants are permitted to withdraw amount of Rs.20,00,000/- along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)