

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.908 OF 2024
IN
FIRST APPEAL STAMP NO. 15533 OF 2023

Amit Satish Puri	...	Applicant
In the matter of		
United India Insurance Co. Ltd., Mumbai	...	Appellant
versus		
Amit Satish Puri & Ors.		Respondents

Mr. Pratik Sarkar, Advocate for the Applicant.
Ms. Varsha Chavan, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th FEBRUARY, 2024.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for the appellant-Insurance Company.
2. Learned counsel for the applicant submitted that the deceased was the earning member of the applicant's family. The applicant is in dire need of money, he needs the amount for daily expenses as well as educational expenses of his children, hence, requested to allow the application.
3. Learned counsel for the appellant - Insurance Company objected to allow the application on the ground that the Tribunal has

considered income of the deceased on higher side and the accident occurred due to contributory negligence of the deceased but the Tribunal has not considered these facts. Hence, requested to dismiss the application.

4. I have heard both learned counsel. The deceased was the earning member of the applicant's family. The applicant is in dire need of money. He needs the money for daily expenses as well as educational expenses of his minor children. The grounds raised by the appellant-Insurance Company can be considered at the time of final hearing of the appeal. Hence, I pass the following order :

O R D E R

1. The application is allowed.
2. The applicant is permitted to withdraw 25% amount along with accrued interest therein, out of the deposited amount, on furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)