

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.7003 OF 2024
IN
FIRST APPEAL NO. 59 OF 2024

Ranjana D. Patil and ors.	...	Applicants
In the matter of		
Tata AIG General Insurance Co.Ltd.Kolhapur	...	Appellant
versus		
Ranjana D. Patil and ors.		Respondents

Mr. Sukumar Ghanavat, Advocate for Applicants/claimants.
Mr. Devendranath S. Joshi, Advocate for Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th MARCH, 2024.

P.C. :

1. Not on board. Since the first appeal is on board, the application is taken for hearing.
2. Heard learned counsel for the applicants and learned counsel for appellant-Insurance Company.
2. By this application, the applicants are seeking withdrawal of the amount. It is contention of learned counsel for the applicants that the deceased was the sole earning member of the applicants' family. The applicants have no source of income, they need the amount for their daily expenses. Hence, requested to allow the application.

3. It is contention of learned counsel for the appellant - Insurance Company that deceased was more than 67 years old and the Tribunal has awarded compensation on higher side. Hence, requested to dismiss 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 their daily expenses. 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

: **ORDER**

1. The application is allowed.
2. The applicants are permitted to withdraw 50% amount along with accrued interest therein, out of the deposited amount on furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)