

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 8492 OF 2024****IN****FIRST APPEAL NO. 280 OF 2024**

Dwarkabai Kisan Bairagi and Ors.

... Applicants

IN THE MATTER OF :General Manager,
SBI G.I.C. Ltd., and Anr.

... Appellants

Versus

Dwarkabai Kisan Bairagi and Ors.

... Respondents

.....

Mr. P. K. Bohade, Advocate for the Applicants in IA/8492/2024 and for Respondent Nos. 1 to 3 in FA/280/2024.

Mr. T.R. Kale i/b. Ms. Shalini Shankar, Advocate for Appellants in FA/280/2024 and for Respondents in IA/8492/2024.

CORAM : ARUN R. PEDNEKER, J.**DATED : 1st JULY, 2024.****P.C. :**

1. Heard learned counsel for the parties.
2. The present appeal is filed on the ground of breach of insurance policy. More particularly learned counsel for the appellants submits that the driver of the insured vehicle did not have the driving licence. However, the Tribunal has held that the Insurance Company has not been able to establish that the driver of the insured vehicle did not have the driving licence.
3. The applicants are permitted to withdraw Rs.3,00,000/- in the

proportion mentioned in the order of the Tribunal, subject to undertaking to the satisfaction of the Presiding Officer of the Tribunal.

4. The Interim Application No. 8492 of 2024 is disposed of.
5. The First Appeal is admitted.

(ARUN R. PEDNEKER, J.)

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