

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

**INTERIM APPLICATION NO.14754 OF 2024
IN
FIRST APPEAL NO.1516 OF 2019**

Vandana Chandrakant Manjarekar Applicant

V/s.

Reliance General Insurance Co. Ltd., Respondent
Mumbai

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Mr.Yuvraj Gharal, for the Applicant.

Mr.Rahul Mehta i/b KMC Legal Venture, for Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th DECEMBER 2024

P.C:-

. Heard learned counsel for the Applicant and learned
counsel for the Respondent.

2. The learned counsel for the Applicant submits that,
Court has permitted the Claimant No.2 to withdraw the amount
but after passing order the Claimant No.2 is died. The Applicant
is legal heir of the Claimant No.2. Hence, the Applicant be
permitted to withdraw the amount of Claimant No.2. Hence,
requested to allow the Application.

3. The learned counsel for Respondent-Insurance Company strongly objected to allow the Application as the accident occurred due to sole negligence of the deceased and income of deceased considered on higher side. Hence, requested to reject the Application.

4. I have heard both learned counsel.

5. The Applicant is mother of deceased. The Tribunal has awarded Rs.2 lakhs as compensation to the Applicant out of the award amount. As the Applicant has no source of income I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicant is permitted to withdraw Rs.2 lakhs along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)