

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
INTERIM APPLICATION NO.15090 OF 2024
IN
FIRST APPEAL NO.856 OF 2024

Sneha Arvind @ Sneha Ashok Chanchlani & Applicant
Ors.

IN THE MATTER BETWEEN

United India Insurance Co. Ltd. Appellant

Versus

Sneha Arvind @ Sneha Ashok Chanchlani & Respondents
Ors.

Mr. Anil Singh a/w Adv. Aseem Naphade and Mr. Pratik Deshmukh
i/b Mr. Adwait Bhonde, for the Applicants.

Ms. Varsha Chavan, for the Appellant/Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th DECEMBER, 2024.

P.C. :

1. By this application, the Applicants are seeking withdrawal
of the amount.

2. It is contention of learned counsel for the Applicants that
the deceased was sole earning member of Applicants' family.
Applicants 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 the Tribunal has considered the monthly income of the deceased on higher side, and on that basis the compensation is awarded by the Tribunal.

Learned counsel further submitted that the taxes have been deducted on lower side. The judgment and order passed by the Tribunal, is erroneous. Hence, requested to reject the application.

3. I have heard both learned counsel.

4. The deceased was the sole earning member of Applicants' Family. Applicants' need the amount for their daily expenses. The issue raised by the Appellant/Insurance Company can be considered at the time of final hearing of the appeal. Hence, I pass following order:

ORDER

i. Application is allowed.

ii. Applicants are permitted to withdraw 50% amount, out of deposited amount along with accrued interest thereon on, furnishing usual undertaking.

The application stands disposed of.

(SHIVKUMAR DIGE, J.)