

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

**INTERIM APPLICATION NO.15226 OF 2024
IN
FIRST APPEAL (ST) NO.17089 OF 2024**

Dnyaneshwar Tukaram Jundare & Ors. Applicants
V/s.

Shriram General Insurance Co. Ltd., Thane Respondents
The. The General Manager & Anr.

Mr.Pritesh K. Bohade, for the Applicants in IA and for
Respondent No.1 in FA.

Ms.Shalini Shankar, for Respondent No.1 in IA and for the
Appellant in FA.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th DECEMBER 2024

P.C:-

. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicants submit that
the deceased was sole earning member of Applicant's family. The
Applicants needs the amount for their daily expenses. They have
no source of income. Hence, requested to allow the Application.

3. The learned counsel for the Respondent has objected
to allow the Application on the ground that, the Tribunal has

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considered monthly income of the deceased on higher side. There was contributory negligence of the Applicant. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the family, the Applicant's needs the amount for their daily expenses. They have no source of income. The issue raised by the Respondent can be considered at the time of the final hearing. Hence, I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicants are permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)