

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 15965 of 2024
IN
FIRST APPEAL STAMP NO. 23404 of 2024

Anita @ Aneeta Sunil Yadav and ors. Applicants

In the matter of

The HDFC ERGO General Insurance Co. Ltd. ... Appellant
Through its Authorised Representative-Sagar
G. Gangurde

versus

Anita @ Aneeta Sunil Yadav and ors. Respondents

Mr.Abhishek R. Avachat, Advocate for the Appellant.
Ms.Varsha Chavan, for Respondent Nos.1 to 4.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th 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 offending vehicle was not involved in the accident, but this fact is not considered by the Tribunal and has awarded compensation. 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 25% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)