

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 6550 OF 2024
IN
FIRST APPEAL NO. 584 OF 020**

Mr. Somanna Gurappa Dashwant And Ors. ...Applicants
Versus
The New India Assurance Co. Ltd. ...Respondent

.....

Mr. Santosh Bhosale, for Applicant.

Adv. P. D. Alawekar, Advocate for Respondent No.2.

.....

**CORAM : SHIVKUMAR DIGE, J.
DATE : 11th DECEMBER 2025**

P.C.

1. Heard learned counsel for the applicants and learned counsel for respondent. By this application, the applicant is seeking withdrawal of the amount.

2. It is contention of learned counsel for applicants that the deceased was sole earning member of the family. The applicant has no source of income. They need income income for daily expenses and requested to allow the application.

3. It is contention of learned counsel for respondent that the Tribunal has considered monthly income of the deceased on higher

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side which is erroneous and requested to reject the application.

4. I have heard both learned counsels. The deceased was sole earning member of the applicants' family. The applicants have no source of income. They need income for daily expenses. The issue raised by the respondents can be dealt at the time of final hearing of the appeal.

5. In view of above, I pass following order:

ORDER

I. The application is allowed.

II. The applicants are permitted to withdraw 50% of the deposited amount alongwith accrued interest thereon on furnishing usual undertaking.

6. The application is disposed off accordingly.

(SHIVKUMAR DIGE, J.)