

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 8553 OF 2025****IN****FIRST APPEAL (ST) NO. 31339 OF 2024**

Pradnya Sachin Khomane And Ors.

... Applicants

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd.

... Appellant

Versus

Pradnya Sachin Khomane And Ors.

... Respondents

.....

Ms. Raufa Shaikh i/b. Mr. Yuvraj Narvankar, Advocate for Applicants.

Mr. Avesh Ghadge i/b. Mr. Akshay Kulkarni, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.**DATED : 9th JUNE, 2025.****P.C. :**

1. By this application, applicants are seeking withdrawal of amount.
2. It is the contention of learned counsel for the applicants that deceased was a sole earning member of applicants' family. The Applicants need the amount for daily expenses and they have no source of income. Hence, requested to allow the application.
3. Learned counsel for the appellant- Insurance company strongly objected to allow the application on the ground that the cheque which was given for premium of insurance policy was dishonored. The notice was

issued to the owner. The intimation was given to R.T.O., but these facts are not considered by the Tribunal, hence requested to reject the application.

4. I have heard both the learned counsel. The deceased was the sole earning member of the applicants' family. The Applicants have no source of income. The grounds raised by the appellant / Insurance Company can be considered at the time of final hearing of the appeal hence, considering this fact, I pass following order :

ORDER

- (i) The Interim application is allowed.
- (ii) The applicants are permitted to withdraw 30% amount out of deposited amount along with accrued interest thereon on out of deposited amount on furnishing usual undertaking.

5. The Interim application is disposed of.

(SHIVKUMAR DIGE, J.)