

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

INTERIM APPLICATION NO. 10868 of 2025

in

FIRST APPEAL NO. 1337 of 2025

Anita Sarjerao Dandavate and ors.

Applicants

In the matter of

Reliance General Insurance Co. Ltd.

Appellant

Versus

Anita Sarjerao Dandavate and ors.

Respondents

Mr. Pritesh K. Bohade, Advocate for the Applicants.

Ms. Gayatri Kulkarni i/b. Mr. Akshay Kulkarni, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th AUGUST, 2025.

PC :

1. Heard learned counsel for the applicants and learned counsel for appellant-Insurance Company.

2. Learned counsel for the applicants submitted that the deceased was the sole earning member of the applicants' family. The applicants have no source of income. They need the amount for their daily expenses. Hence, requested to allow the application.

3. Learned counsel for respondent No.1 - Insurance Company objected to allow the application on the ground that the accident occurred due to sole negligence of the deceased and the Tribunal has considered the income of the deceased on higher side. Hence, requested to dismiss the application.

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4. I have heard both learned counsel. The deceased was the sole earning member of the applicants' family. The applicants have no source of income. The applicants need the amount for their daily expenses. The Tribunal has awarded compensation after considering all facts. Hence, I pass the following order :

ORDER

1. The application is allowed.
2. The applicants are permitted to withdraw 50% of the deposited amount, along with the accrued interest thereon, upon furnishing the usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)