

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

**INTERIM APPLICATION NO. 11381 OF 2025
IN
FIRST APPEAL NO. 1623 OF 2025**

Vidya Chandrakant Bedake And Ors. ...Applicants
IN THE MATTER BETWEEN
The Oriental Insurance Co. Ltd.Appellant
Versus
Vidya Chandrakant Bedake And Ors. ...Respondents

Digitally
signed by
SHANTANU
SHANKARSA
DHUDUM
Date:
2025.12.11
12:03:47
+0530

Mr. Yuvraj Narvankar with Mr. R. Patil, Advocate for the Applicants.
Ms. Karishma Jhaveri, Advocate for the Appellant – Insurance
Company.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 8th DECEMBER, 2025.**

P.C. :

1. By this application, the Applicants are seeking withdrawal of the amount.
2. It is contention of learned counsel for the Applicants that the deceased was the sole earning member of the Applicants' family. They have no source of income. They need the amount for their daily expenses. Hence, requested to allow the application.
3. It is contention of learned counsel for the Appellant – Insurance Company that the Tribunal has considered monthly income

of the deceased on higher side. Learned counsel further submitted that the Tribunal has also applied wrong multiplier and the accident occurred due to sole negligence of the deceased, but these facts are not considered by the Tribunal, and requested to reject the application.

4. I have heard both learned counsel.

5. The deceased was the sole earning members of the Applicants' family. They have no source of income. They need the amount for their daily expenses. The issue raised by the learned counsel for the Appellant – Insurance Company can be considered at the time of final hearing of the appeal.

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

ORDER

- i. The application is allowed.
 - ii. The Applicants are permitted to withdraw the 50% amount, out of deposited amount along with accrued interest thereon, on furnishing undertaking.
7. The interim application stands disposed off.

(SHIVKUMAR DIGE, J.)