

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

INTERIM APPLICATION NO. 14435 OF 2024

IN

FIRST APPEAL NO. 1519 OF 2019

Manjiri Mahadev Bandkar & Ors.Applicants

IN THE MATTER BETWEEN

L & T General Insurance Co. Ltd., MumbaiAppellant

Versus

Manjiri Mahadev Bandkar & Ors.Respondent

Mr. Abhishek Nandhimath i/b Ms. Shraddha Kadam, Advocate for
the Applicants.

Mr. Abhishek Roy i/b A. P. Kulkarni, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JUNE, 2025.

P.C. :

1. By this Application, Applicants are seeking withdrawal of
the amount.

2. Learned counsel for the Applicants submits that, the
deceased was sole earning member of the Applicant's family. The
Applicants' needs the amount for daily expenses. They have no
source of income. Hence, requested to allow the Application.

3. The learned counsel for the Appellant submits that deceased was not employee, but the Tribunal has not considered this fact and has granted compensation, which is erroneous. Hence, requested to reject the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the Applicants family, they have no source of income. They needs the amount for their daily expenses. The issue raised by the Appellant Insurance Company can be considered at the time of final hearing of the Appeal. Hence, I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicants are permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)