

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.16038 OF 2024
IN
FIRST APPEAL (ST) NO.21284 OF 2023

Mrs.Veena Rajendra Agrawal & Ors. Applicants

V/s.

Reliance General Insurance Co. Ltd. Respondent

Mr.Navin Sheth, for the Applicants.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th JANUARY 2025

P.C:-

. Heard learned counsel for the Applicants.

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

3. The learned counsel for the Respondent has objected to allow the Application on the ground that the rider of the motorcycle on which deceased was travelling was negligent and

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income of the deceased is considered on higher side. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The deceased was only earning member of the family, the Applicant's needs the amount for their daily expenses. They have no source of income. The issue raised by the Respondent can be considered at the time of the final hearing. 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.)