

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

**INTERIM APPLICATION NO. 3641 OF 2025
IN
FIRST APPEAL NO. 615 OF 2025
WITH
FIRST APPEAL NO. 615 OF 2025**

Reliance General Insurance Co. Ltd. ...Applicant/Appellant
V/s.
Mrs. Fulamati Bachchan Prasad And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO. 7474 OF 2025
IN
FIRST APPEAL NO. 615 OF 2025**

Mrs. Fulamati Bachchan Prasad And Anr. ...Applicants

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd. ...Appellant
V/s.
Mrs. Fulamati Bachchan Prasad And Ors. ...Respondents

Mr. Amol A. Gatne, for the Applicant Nos.1 and 2 in IA/7474/2025 and
Respondent Nos.1 and 2 in FA/615/2025.
Mr. Avesh A. Ghadge i/by Mr. Akshay Kulkarni, for the Appellant.

CORAM : SHYAM C. CHANDAK, J.

DATED : 23rd APRIL, 2025

P.C. :-

INTERIM APPLICATION NO. 3641 OF 2025

- . Not on board. Taken on board.
- 2) Heard.
- 3) Mr.Ghadge, the learned Advocate for the Appellant/Applicant
states that, as per the interim stay Order dated 11th March, 2025, the

Applicant has deposited the entire compensation amount alongwith accrued interest with Motor Accident Claims Tribunal, Pune.

4) In view thereof, the Application is allowed in terms of prayer clause (b) and stands disposed of.

INTERIM APPLICATION NO. 7474 OF 2025

. Heard.

2) Present Application filed by the Original Claimants seeking permission to withdraw entire compensation amount alongwith accrued interest.

3) Mr. Ghadge, the learned Advocate for the Appellant opposed the Application on the ground that there was delay of 1 month and 22 days in filing the F.I.R., which fact indicates that the subject vehicle was implicated in the accident.

4) Insofar as involvement of the subject vehicle i.e. car is concerned, the Tribunal held that the accident occurred due to rash and negligent driving of the said car. The Applicants are the parents of the deceased.

5) Mr. Gatne, the learned Advocate for the Applicant Nos.1 and 2 submitted that, the Applicant No.1 is housewife and Applicant No.2 has been working as a security guard. His income is on lower side.

6) The withdrawal is sought on the ground that, after the demise of the earning son of the Applicants, they are facing various financial

difficulties. The accident occurred in the 2018. The Applicants are waiting for the compensation amount since the date of filing of the claim.

7) In view thereof and considering the other grounds stated in the Application, the Applicants are permitted to withdraw 50% of their share in the compensation amount alongwith proportionate interest subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicants would refund the said amount alongwith interest as would be directed by this Court. The Tribunal shall invest remaining amount with nationalized bank giving highest interest from time to time.

8) Application is disposed of, accordingly.

FIRST APPEAL NO. 615 OF 2025

. Call for Record and Proceedings.

2) Stand over to **5th August, 2025**.

(SHYAM C. CHANDAK, J.)