

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 510 of 2025
in
FIRST APPEAL NO. 135 of 2025**

Arfaana Sufiyaan Shaikh and ors.

.... Applicants

In the matter of

Reliance General Insurance Co.ltd. The Divisional
Manager

... Appellant

versus

Arfaana Sufiyaan Shaikh and ors.

.... Respondents

Mr. T. J. Mendon, Advocate for the Applicants.

Ms. Kalpana R. Trivedi, Advocate for the Appellant-Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JANUARY, 2025.

P.C. :

1. Heard learned counsel for the applicants and learned counsel for appellant-Insurance Company.
2. By this application, the applicants are seeking withdrawal of the amount. Learned counsel for the applicants submits 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 appellant - Insurance Company strongly objected to allow the application on the ground that policy produced on

record is fake police but this fact is not considered by the Tribunal. Hence, requested to reject the application.

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, they need the amount for their daily expenses. The grounds raised by the appellant-Insurance can be considered at the time of final hearing of the appeal. Hence, I pass the following order :

O R D E R

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

The application is disposed of.

(SHIVKUMAR DIGE, J.)