

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.614 OF 2025
IN
FIRST APPEAL NO.1787 OF 2024

Ranjana Sunil Patil

.... Applicant

V/s.

Shriram General Insurance Co. Ltd., Thane Respondents
(West) & Anr.

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Mr.T.J. Mendon, for the Applicant.
Ms.Shalini Shankar, for the Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd JANUARY 2025

P.C:-

1. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicant submits that the Applicant has suffered 25% injuries in the accident. She has incurred expenses on medical treatment. Due to disability Applicant is not able to do any work. Hence, Applicant be permitted to withdraw the amount.

3. The learned counsel for the Respondent has objected to allow the Application on the ground that the policy produced on record was fake and fabricated but this fact is not considered by the Tribunal and pass pay and recover order, which is erroneous. 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 25% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)