IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1466 of 2025
IN
FIRST APPEAL NO.1263 OF 2024

Lata Dilip Bhoir and ors.. ….Applicant(s)
In the matter of
Shriram General Insurance Co. Ltd. ... Appellant(s)
Versus
Lata Dilip Bhoir and ors.. ...Respondent(s)

Mr. Pramod Purav along with Mr. Niketan Nakhawa, Advocate for the Applicant/Claimants.
Ms. Shalini Shankar, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th JUNE, 2025.

P.C. :

1. Heard learned counsel for the applicants/claimants and learned counsel for appellant-Insurance Company.

2. Learned counsel for the applicants submitted 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 grounds that there was 11 years delay for filing the claim petition and the Tribunal has considered the income of the deceased on higher side. 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 30% amount along with accrued interest thereon out of the deposited amount on furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)