

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

**INTERIM APPLICATION NO. 6538 OF 2025
WITH
INTERIM APPLICATION NO. 14567 OF 2024
IN
FIRST APPEAL NO. 1796 OF 2024**

Reliance General Insurance Co. Ltd. Applicant
V/s.
Durga Satish Aher and Ors. Respondents

**WITH
INTERIM APPLICATION NO. 6539 OF 2025
IN
FIRST APPEAL NO. 1796 OF 2024**

Smt. Durga Satish Aher and Ors. Applicants

In the matter between :-

Reliance General Insurance Co. Ltd. Appellant
V/s.
Durga Satish Aher and Ors. Respondents

Mr. Akshay Kulkarni for the Applicant.
Mr. Pritesh Bohade for Respondent Nos.1 to 4.

CORAM : SHYAM C. CHANDAK, J.

DATED : 24th MARCH, 2025

P.C. :-

ORDER IN INTERIM APPLICATION NO. 6538 OF 2025 :-

. The Appellant has filed this Application for permission to delete the name of Respondent No.3 – Subhash Rakhmaji Aher from the array of the Respondents in the cause title of the aforesaid Appeal.

2) As per the bailiff report dated 02/01/2025, the said Respondent No.3 expired on 27/08/2024. The death certificate is attached

to the bailiff report. The legal representatives of the Respondent No.3 are already on record.

3) In view thereof, the Application is allowed in terms of prayer clause (b).

4) Interim Application stands disposed of.

ORDER IN INTERIM APPLICATION NO. 6539 OF 2025 :-

5) By this Application, the Applicants/Original Claimants seek withdrawal of the compensation amount along with accrued interest deposited by the Claims Tribunal.

6) Heard learned Advocate for the Claimants and Appellant.

7) The Application is opposed by the learned Advocate for the Respondent – Insurance Company. The withdrawal is sought on the ground that after the death of the deceased, the Applicants are facing financial difficulties. The accident occurred in the year 2020. Since then, the Applicants have been waiting for the compensation amount.

8) The Applicant No.2 is minor. In view thereof, the Applicant Nos.1 and 4 being the wife and mother of the deceased, are permitted to withdraw 50% of the compensation amount of their share with proportionate interest accrued thereon, subject to furnishing usual undertaking that in case the Appellant succeeds in this Appeal, the Applicants/Claimants would refund the said amount along with interest as would be directed by this Court. The Tribunal shall invest remaining amount with nationalized bank giving highest interest from time to time.

9) The statutory amount deposited in this Court shall be transferred to the Tribunal.

10) Interim Application stands disposed of.

ORDER IN INTERIM APPLICATION NO.14567 OF 2024 :-

11) As the entire amount of compensation is deposited and the Claimants are permitted to withdraw certain amount, the interim stay granted by Order dated 13th November, 2024 is made absolute.

12) Application is allowed in terms of prayer clause (b).

13) Interim Application stands disposed of.

PREETI
HEERO
JAYANI

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PREETI HEERO
JAYANI
Date: 2025.03.27
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(SHYAM C. CHANDAK, J.)