

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

**INTERIM APPLICATION NO.7619 OF 2025
IN
FIRST APPEAL (ST) NO.1252 OF 2023**

Smt. Bharti Nivrutti Dugje And Ors. ...Applicants

IN THE MATTER BETWEEN

Divisional Officer,
Cholamandalam M.s. General Insurance Co. Ltd. ...Appellant

Vs.

Smt. Bharti Nivrutti Dugje And Ors. ...Respondents

Mr. Rajesh Kanojia, for the Appellant.

Mr. Pritesh K. Bohade, for the Applicants in IA/7619/2025 and
Respondent Nos.1 to 4 in FA(ST)/1252/2023.

CORAM : SHYAM C. CHANDAK, J.

DATED : 28th APRIL, 2025

P.C. :-

. Heard.

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

3) Mr. Kanojia, the learned Advocate for the Appellant opposed the Application. However, he has stated that there is no statutory defence for the Appellant. There is no issue of fake policy.

4) In view thereof and considering the reasons stated in the Application, the Applicants are permitted to withdraw 40% 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.

4) Application is disposed of, accordingly.

(SHYAM C. CHANDAK, J.)