IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

INTERIM APPLICATION NO.8899 OF 2025

IN

FIRST APPEAL NO. 2015 OF 2024

Meena Mahendra Singh And
Anr. ….Applicants/Appellants

Versus

Kotak Mahindra General
Insurance Co. Ltd.& Ors. ….Respondents

Mr. Aditya Ghadge i/b S. S. Diwan, Advocate for the Applicants/Appellants.
Smt. Rina Kundu, Advocate for the Respondent No.1.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JUNE, 2025.

P.C. :

1. Heard learned counsel for the Applicants/Appellants and learned counsel for the Respondents.

2. By this Application, the Applicant is seeking withdrawal of the amount.

3. Learned counsel for the Applicants submit that, the deceased was sole earning member of Applicant's family. The Applicants need the amount for their daily expenses. Applicant's have

no source of income. Hence, requested to allow the Application.

4. The learned counsel for the Respondent-Insurance Company strong the appropriate to allow the Application on the ground that, Insurance policy was the insurer was expired prior to the accident and insurance amount at compensation on higher side. Hence, requested to allow the Application.

4. I have heard both the learned counsel.

5. The deceased was sole earning member of the family, the Applicants needs the amount for their daily expenses. They have no source of income. The issue raised by the learned counsel for Respondent-Insurance Company can be considered at the time of the final hearing of the Appeal. Hence, I pass following order.

ORDER

(i) The Application is allowed.

(ii) The Applicants are permitted to withdraw 50 % amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)

GAYATRI RAJENDRA SHIMPI Digitally signed by GAYATRI RAJENDRA SHIMPI Date: 2025.06.19 18:40:21 +0530