

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9629 OF 2025
IN
FIRST APPEAL NO.1310 OF 2025

Seema Bhavesh Gadher And Ors. Applicants

V/s.

Tata Aig General Insurance Co. Ltd., Respondents
Mumbai

Ms.Varsha Chavan, for Applicant Nos.1 to 5.

Mr.D.S. Joshi, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th JULY 2025

P.C:-

. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicants submit that the deceased was sole earning member of Applicant's family. The Applicants needs the amount for their daily expenses. They have no source of income. Hence, requested to allow the Application.

3. The learned counsel for the Respondent has objected to allow the Application on the ground that the Tribunal has

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considered monthly income of deceased on higher side and on that basis compensation is awarded. 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 in terms of prayer Clause (b).

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

(SHIVKUMAR DIGE, J.)