

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 9645 of 2025**

IN

FIRST APPEAL NO. 1826 OF 2024

Jitu D. Das and anr.	...Applicants
In the matter of	
Bajaj Allianz General Insurance Co. Ltd.	...Appellant(s)
Versus	
Jitu Dinesh Das and ors.	..Respondent(s)

Ms. Varsha Chavan, Advocate for the Applicants/Claimants.
Mr. Aditya Ghadge i/b. Mr. Sartak Diwan, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th JULY, 2025.

P.C. :

1. Heard learned counsel for the applicants and learned counsel for appellant-Insurance Company.
2. It is the contention of learned counsel for the applicants/claimants that the deceased was 6 year old child. The applicants need the amount for their daily expenses. Hence, requested to allow the application.
3. It is the contention of learned counsel for appellant - Insurance Company that the driving license of driver of the offending vehicle produced on record was fake but this fact is not considered by the Tribunal. Moreover, the compensation is awarded on higher side. Hence, requested to reject the application.

4. I have heard both learned counsel. The applicants are the parents of the deceased, they need the amount for their daily expenses. The issue raised by the appellant-Insurance can be considered at the time of final hearing of the appeal. Hence, I pass the following order :

ORDER

1. The application is allowed.
2. The applicants are permitted to withdraw 50% amount along with accrued interest thereon out of the deposited amount on furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)