

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

**INTERIM APPLICATION NO. 9887 OF 2025
IN
FIRST APPEAL (ST) NO. 35680 OF 2024**

Sangeeta Sanjay Pardeshi and Ors. Applicants

IN THE MATTER BETWEEN

The New India Assurance Co. Ltd. Appellant

Versus

Sangeeta Sanjay Pardeshi and Ors. Respondents

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Mr. T. J. Mendon, Advocate for the Applicant Nos.1 to 3.
Mr. Sandeep Jinsiwale, Advocate for the Appellant – Insurance
Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th JULY, 2025.

P.C. :

1. By this application, the Applicants are seeking withdrawal of the amount.
2. The deceased was the sole earning members of Applicants' family. They have no source of income. They need the amount for their daily expenses. Hence, requested to allow the appeal.
3. Learned counsel for the Appellant – Insurance Company

strongly objected to allow the application on the ground that at the time of accident, the deceased was not holding effective and valid driving licence, but this fact is not considered by the Tribunal. Hence, requested to reject the application,

4. I have heard both learned counsel.

5. The deceased was the sole earning member of the Applicants' family. They have no source of income. They need the amount for their daily expenses. The issue raised by the Appellant – Insurance Company can be considered at the time of final hearing of the appeal, and I pass following order:

ORDER

- i. The Application is allowed.
- ii. The Applicants are permitted to withdraw 50% amount out of the deposited amount along with accrued interest thereon, on furnishing undertaking.
- . The interim application stands disposed off.

(SHIVKUMAR DIGE, J.)