

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 9989 OF 2025
IN
FIRST APPEAL(ST) NO. 31283 OF 2024**

Seema Keshav Wayngankar And Ors.	Applicants
In the matter of	
Bajaj Allianz General Insurance Co. Ltd.	Appellant
versus	
Seema Keshav Wayngankar And Ors.	Respondents

Mr. Ranvir Shekhwat i/b. Raj Legal, Advocate for Applicants/Claimants.
Mr. Aditya Ghadage i/b. Mr. Sarthak S. Diwan, Advocate for the Appellant-Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th JULY, 2025.

P.C. :

1. Heard learned counsel for the applicants/claimants and learned counsel for appellant-Insurance Company.
2. By this application, the applicants are seeking withdrawal of the amount. Learned counsel for the applicants submitted that the deceased was the sole earning member of the applicants' family. The applicants have no source of income, they need the amount for their daily expenses. Hence, requested to allow the application.
3. Learned counsel for appellant - Insurance Company strongly objected to allow the application on the ground that the driving license of

the driver of the offending vehicle was fake but this fact is not considered by the Tribunal and requested to reject the application.

4. I have heard both learned counsel. The deceased was the sole earning member of the applicants' family. The applicants have no source of income, they need the amount for their daily expenses. The grounds raised by the appellant-Insurance can be considered at the time of final hearing of the appeal. Hence, I pass the following order :

O R D E R

1. The application is allowed.
2. The applicants are permitted to withdraw 40% amount along with accrued interest thereon, out of the deposited amount, on furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)