

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 10225 OF 2025
in
FIRST APPEAL (STAMP) NO. 36162 OF 2024

Nagma Hujefa Usmani and ors	Applicants
In the matter of	
National Insurance Co. Ltd. Thr. Tp Hub, Aurangabad versus	Appellant/s
Nagma Hujefa Usmani and ors	Respondent/s

Mr. Rajan S. Pawar, Advocate for Applicants/Claimants.
Mr. Amol Gatne, Advocate for the Appellant-Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd JULY, 2025.

P.C. :

1. Heard learned counsel for the applicants/claimants and learned counsel for appellant-Insurance Company.
2. 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 the appellant-Insurance Company objected to allow the application on the ground that the Tribunal has considered income of the deceased on higher side and, on that basis, has

awarded compensation, which is erroneous. 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. The applicants have no source of income, they need the amount for their daily expenses. The ground raised by the appellant-Insurance Company can be considered at the time of 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 the amount of Rs.32,00,000/- along with accrued interest thereon out of the deposited amount upon furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)