

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

**INTERIM APPLICATION NO. 10237 OF 2025
IN
FIRST APPEAL NO.1899 OF 2024**

Manisha Sanjay Shinde And Ors. Applicant

V/s.

Future General Insurance Co. Ltd. Nashik Respondent

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Mr.Rajan S. Pawar, for Applicant Nos.1 to 5.

Mr.Rajesh Kanojia i/b Res Juris, for the Respondent

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th AUGUST 2025

P.C:-

1. 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 accident occurred due to sole negligence of the deceased, but this fact is not

considered by the Tribunal and awarded compensation on higher side. 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.

(ii) The Applicants are permitted to withdraw Rs.1,00,000/- amount from deposited amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)