

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10606 OF 2025
IN
FIRST APPEAL NO.1533 OF 20234

Ashokan Kanapathy (Deceased) & Ors. Applicants
V/s.

Reliance General Insurance Co. Ltd., Respondent
Mumbai

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Mr.Vasant N. More, for the Applicants.
Mr.Aditya Ghadge i/b Mr.S.S. Diwan, for Respondent .

CORAM : SHIVKUMAR DIGE, J.

DATE : 31st JULY 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 there was breach of Terms and Conditions of the Insurance Policy and compensation

is awarded on higher side, without evidence on record. 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.15,00,000/- from compensation amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)