

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10847 OF 2025
IN
FIRST APPEAL NO. 1778 OF 2024

Urvi Ravindra Shah And Ors. Applicants

V/s.

Bajaj Allianz General Insurance Company Respondents
Ltd.

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Mr.Amol Gatne, for Applicant Nos.1 and 2.

Mr.Aditya Ghadge i/b Mr.Sarthak S. Diwan, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th AUGUST 2025

P.C:-

. Heard learned counsel for the Applicants and learned
counsel for the Respondents.

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 act of the god, there is no negligence of the driver of the offending vehicle, but the Tribunal has granted 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 40% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)