

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

**INTERIM APPLICATION NO. 10919 OF 2025
IN
FIRST APPEAL NO. 849 OF 2025**

Nirmala Dinesh Sosa Applicant

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd. Appellant

Versus

Nirmala Dinesh Sosa and Anr. Respondents

Mr. Rahul Mehta i/b KMC Legal, Advocate for the Applicant.

Mr. Avesh Ghadge i/b Mr. Akshay Kulkarni, Advocate for the Appellant – Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th AUGUST, 2025.

P.C. :

1. By this application, the Applicant is seeking withdrawal of the amount.
2. It is contention of learned counsel for the Applicant that the deceased was the sole earning member of the Applicant's family. The Applicant needs the amount for her daily expenses. Hence, requested to allow the application.

3. It is contention of learned counsel for the Appellant – Insurance Company that the insurance policy produced on record was fake policy, but this fact is not considered by the Tribunal. Hence, requested to reject the application.

4. I have heard both learned counsel.

5. The deceased was the sole earning member of the Applicant's family. The Applicant needs the amount for her daily expenses. The issue raised by the learned counsel for the Appellant – Insurance Company can be considered at the time of final hearing of the appeal, and I pass following order:

ORDER

- i. The application is allowed.
- ii. The Applicant is permitted to withdraw 40% amount out of the deposited amount along with accrued interest thereon, on furnishing undertaking.

(SHIVKUMAR DIGE, J.)