

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11390 OF 2025

[FOR STAY]

IN

FIRST APPEAL NO.1765 OF 2025

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Reliance General Insurance Co. Ltd.

...Applicant/Appellant

V/s.

Karuna Ashok Nile and Ors.

...Respondents

Mr.Avesh Ghadge (Through V.C.):-	Advocate for Applicant/Appellant.
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CORAM : S. M. MODAK, J.

DATE : 8th SEPTEMBER 2025

P. C. :-

INTERIM APPLICATION NO.11390 OF 2025

1. Heard learned Advocate for the Applicant/Appellant.
2. The Appellant Insurance Company along with the owner were directed to pay Rs.36,54,860 (Rupees Thirty Six Lakh Fifty Four Thousand Eight Hundred Sixty) along with interest. The Insurance Company is aggrieved and that is why present Appeal.
3. The Appellant–Insurance Company is ready to deposit the entire awarded amount. A stay is granted to the impugned Award subject to

deposit of the awarded amount within a period of six (6) weeks before the Motor Accident Claims Tribunal – Vasai.

4. The Appeal is on the quantum of amount. There are no statutory defenses. In view of that, instead of the Claimants to make an Application for withdrawal, this Court can certainly permit the withdrawal without Application. There is opposition on behalf of the Appellant Insurance Company. That is not considered. **In view of that, the Claimants are permitted to withdraw 50% of the deposited amount along with the interest subject to furnishing an usual undertaking.** As mentioned in the Award, the Tribunal to make the necessary apportionment.

5. In view of the above, the Interim Application is disposed of.

FIRST APPEAL NO.1765 OF 2025

6. This is an Appeal by the Insurance Company on the point of quantum. Issue notice to the Respondents returnable on **3rd November 2025.**

7. **Admit the Appeal.**

8. **Call Record and Proceeding.**

9. Stand over to **3rd November 2025.**

[S. M. MODAK, J.]