

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 13252 of 2025
in
FIRST APPEAL NO. 1251 of 2025

Prathibha Pawan Ram and ors.	... Applicants/ Original Claimants
In the matter of	
Reliance General Insurance Co. Ltd.	... Appellant
versus	
Prathibha Pawan Ram and ors.	 Respondent/s

Ms. Varsha Chavan, Advocate for the Applicants/Claimants.

Mrs. Kalpana Trivedi, Advocate for the Appellant.

CORAM : R. M. JOSHI, J.

DATE : 24th NOVEMBER, 2025.

P.C. :

1. This application is for withdrawal of the compensation granted by the Tribunal in M.A.C.P.No.1439 of 2022 by judgment and award dated 7th April 2025.
2. Learned counsel for the applicant/original claimants submits that the claimants have proved their claim before the Tribunal and, hence, they are entitled for withdrawal of the entire amount of compensation.
3. Learned counsel for the appellant/insurer opposed the application contending that the appellant has challenged the impugned

judgment and award in question on the ground of contributory negligence and also the quantum of compensation.

4. Prima facie consideration of the impugned judgment and award indicates that this is a fit case to allow the applicants to withdraw 50% amount of compensation. Hence, the following order :

O R D E R

1. The applicants are allowed to withdraw 50% amount along with accrued interest on usual undertaking except for the compensation granted to the minors i.e. applicant Nos.1, 4 and 5.

The application stands disposed of.

(R. M. JOSHI, J.)