IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1653 OF 2026
IN
FIRST APPEAL (ST) NO. 6255 OF 2026

Smita Nitin Sinde And Anr. ...Applicants
Versus
Reliance General Insurance Co. Ltd And Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 983 OF 2026
IN
FIRST APPEAL (ST) NO. 6255 OF 2026

Reliance General Insurance Co. Ltd. ...Applicant
Versus
Smita Nitin Sinde And Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 984 OF 2026
IN
FIRST APPEAL (ST) NO. 6255 OF 2026

Reliance General Insurance Co. Ltd. ...Applicant
Versus
Smita Nitin Sinde And Ors. ...Respondents

.....

Adv. Vinod Y. Bhide, Advocate for Applicants/Claimants.
Adv. Aditya Ghadge h/f Adv. Akshay Kulkarni, Advocate for Respondent – Insurance Company/Appellant.

.....

CORAM : SHAILESH P. BRAHME, J.

DATE : 14th OCTOBER, 2026.

P.C. :

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Heard.

2. By this application, the applicants seek to withdraw the amount of Rs. 72,67,179/- deposited by the respondent - Insurance company. It is stated that the applicants are the dependents and they are in dire need of the amount for the reasons stated in the application. It is submitted that no amount has been disbursed to them till today.

3. The counsel appearing for the respondent - Insurance company would oppose the application on the ground that the quantum arrived at by the Tribunal is exorbitant and unfounded. It is further submitted that the evidence of the monthly income of the deceased is vulnerable and inherently inadequate. The amount awarded is arbitrary and exorbitant.

4. Admittedly, death is caused in motor accident and bread-earner of the applicants has lost his life. The need expressed by them cannot be discarded. Considering the findings recorded by Court below and the submissions of counsel for the respondent, it would be appropriate to permit the applicants to receive 60% of the amount with accrued interest. Hence, I pass the following order :

::ORDER::

A] The Interim Application is partly allowed, permitting the applicants to receive 60% of the amount with accrued interest on furnishing undertaking to the satisfaction of the Presiding Officer of the jurisdictional Tribunal.

B] The balance amount shall be invested in nationalized bank.

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5. By this application, the applicant seeks to condone the delay of 71 days caused in preferring the first appeal.

6. For the reasons stated in the application, it is desirable to condone the delay. No *mala fides* are noticed on the part of the applicant in preferring appeal belatedly. The application is allowed and delay stands condoned. Accordingly, the application is disposed of.

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7. In pursuance of the orders passed by this Court, the applicant - Insurance company has deposited the entire amount with accrued interest. The ad-interim relief granted earlier shall stand confirmed.

8. Accordingly, the application is disposed of.

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9. Admit.

10. Mr. Vinod Bhide, learned counsel, waives notice for respondents.

11. Call for record and proceedings.

12. Print is dispensed with.

13. Parties are at liberty to file private paper book or compilation of relevant documents.

[SHAILESH P. BRAHME, J.]