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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

INTERIM APPLICATION NO.11223 OF 2024
WITH
INTERIM APPLICATION NO.15451 OF 2023
IN
FIRST APPEAL NO.913 OF 2023

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VASANT
ANANDRAO IDHOL
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Ramesh B. Mhatre & Anr.	..Applicants
V/s.	
Reliance General Insurance Co. Ltd. & Anr.	..Respondents

Mr.Himansho Jha i/b Mr.Shalini Shankar for the Applicants.

Mr.T.J. Mendon for the Respondents.

CORAM : R.M. JOSHI, J.
DATE : 9TH APRIL, 2026.

P.C. :-

1. This application is filed by the original claimants for withdrawal of the amount deposited by the appellant / insurer pursuant to the order dated 2nd December, 2022 passed in MACP No.218 of 2016.
2. Learned counsel for the Applicants / claimants submits that the liability of payment of compensation of the

owner as well as the insurer is not in dispute. It is his submission that in the circumstances, there should not be any impediment for permitting withdrawal of at least 50% amount deposited.

3. Learned counsel for the Appellant / insurer opposed the said contention by pointing out that the ground for challenge to the impugned judgment and award is negligence on the part of the deceased in occurrence of the accident.

4. Even if the contention of the Appellant is accepted, the claimants cannot be denied the entire claim. Hence the application deserves to be partly allowed. Hence the order :-

a). The applicants / original claimants are permitted to withdraw 50% amount out of total deposited along with interest on furnishing an undertaking.

(R.M. JOSHI, J.)