

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

**INTERIM APPLICATION NO. 1741 OF 2026
IN
FIRST APPEAL NO. 1717 OF 2025**

Dinkar Tukaram Patil Deceased Thr. Lrs. Deepali ... Applicants
Dinkar Patil And Anr.

IN THE MATTER BETWEEN

National Insurance Co. Ltd. Thr. Its Chief Business
Manager ...Appellant

Vs.

Dinkar Tukaram Patil Deceased Thr. Lrs. Deepali ... Respondents
Dinkar Patil And Ors.

**WITH
INTERIM APPLICATION NO. 11275 OF 2025
IN
FIRST APPEAL NO. 1717 OF 2025**

National Insurance Co. Ltd. Thr. Its Chief Business ... Applicants
Manager and Anr.

Vs.

Dinkar Tukaram Patil Thr. Lrs. Deepali Dinkar Patil ... Respondents
and Ors.

.....

Mr. Moin Momin a/w Ms. Varsha Kale i/b Mr. Bhushan Walimbe, for the
Applicants

Mr. Ashirwad Kolekar i/b Adv. Prasanna Kolekar, for the Appellant –
Insurance Company.

.....

CORAM : SHAILESH P. BRAHME, J.

DATE : 27th OCTOBER, 2026.

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INTERIM APPLICATION NO. 1741 OF 2026.

. Heard learned Advocates appearing for the parties.

2. The Applicants seek permission to withdraw the amount deposited by the Appellant - Insurance Company, which is around Rupees Twenty Five Lakhs and odd.

3. For the reasons stated in the application, the Applicants claim the said amount. No amount has been disbursed to the Applicants after the judgment of the Tribunal. They are stated to be in dire need of money.

4. The application is opposed by the Appellant - Insurance Company. It is submitted that the quantum of compensation is an exorbitant and without any foundation.

5. I have considered the rival submissions and gone through the relevant papers.

6. Considering the overall circumstances, I find that it would be appropriate to permit the Applicants to receive 60% of the amount.

7. The application is allowed partly permitting the Applicants to receive 60% amount with accrued interest on furnishing undertaking to the satisfaction of the jurisdictional Tribunal. The balance amount shall be invested in a Nationalized bank.

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- 8.** As the amount is deposited pursuant to the order passed of this Court, ad-interim relief granted by this Court stands confirmed.
- 9.** The application stands disposed of.

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- 10.** Admit.
- 11.** Learned counsel Mr. Moin Momin waives notice for respondents.
- 12.** Call for record and proceedings.
- 13.** Print is dispensed with.
- 14.** Parties shall be at liberty to file compilation of documents or private paper-book.

(SHAILESH P. BRAHME, J.)