

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL (STAMP) NO. 12832 OF 2026

The New India Assurance Co. Ltd. ...Appellant
Versus
Mrs.Yogita Sunny Yede And Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 7738 OF 2026
IN

FIRST APPEAL (STAMP) NO. 12832 OF 2026
Mrs.Yogita Sunny Yede And Anr. ...Applicants
Versus
The New India Assurance Co. Ltd. ...Respondent

WITH
INTERIM APPLICATION NO. 4159 OF 2026
(For Stay)

WITH
INTERIM APPLICATION NO. 4158 OF 2026
(For Delay)

IN
FIRST APPEAL (STAMP) NO. 12832 OF 2026

The New India Assurance Co. Ltd. ...Applicant
Versus
Mrs.Yogita Sunny Yede And Ors. ...Respondents

Adv. Poushali Chakraborty i/b Adv. Abhinav Tewari, for the Appellant & Applicant (Insurance Company) in FAST No.12832/2026 and IA Nos. 4159/2026 and 4158/2026 and Respondent in IA No. 7738/2026.

Adv. Jay D. Gupta i/b Adv. Vishnu D. Gupta, for the Applicant in IA No. 7738/2026

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 5TH OCTOBER 2026

P. C:-

INTERIM APPLICATION NO. 7738 OF 2026

1. Heard learned counsel for applicants as well as learned counsel for respondents.
2. This is an application for withdrawal of the amount of compensation deposited by the Insurance Company.
3. Learned counsel for applicants submit that the amount of compensation is deposited by the Insurance Company in accordance with the judgment and order passed by the Motor Accident Claims Tribunal. He submits that the applicants are the original claimants and dependents of the deceased and are in dire need of the amount. He submits that the applicant no.1 is the widow and the applicant no.2 is the mother of the deceased and they are entitled for withdrawal of the amount.
4. Although the application is opposed, considering the reasons mentioned and the submissions advanced about needs of the applicants, at this stage, the applicants are permitted to withdraw 50% of the amount deposited along with accrued

interest, subject to furnishing an undertaking that in case the appeal is decided against the appellants, they will return the amount.

5. Interim protection is partly allowed and disposed of.

(PRAFULLA S. KHUBALKAR, J.)

VDMokal/-