

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2310 OF 2020
IN
FIRST APPEAL NO.1128 OF 2019

VISHAL
SUBHASH
PAREKAR

Digitally signed by
VISHAL SUBHASH
PAREKAR

Date: 2021.12.20
18:07:06 +0530

Prasad Prakash Daundkar

...Applicant

vs.

Reliance General Insurnace Co. Ltd. And Anr.

...Respondent

Mr. Suraj Kaushik i/b. Mr. Yuvraj Narvankar, for the Applicant
Ms. Shalini Shankar, for the Respondent/Insurer.

CORAM : N. J. JAMADAR, J.

DATE : DECEMBER 20, 2021

P.C.:

. This application is preferred for withdrawal of the amount of compensation deposited by the appellant/insurer in terms of the judgment and award bearing MACP No. 888 of 2013 dated 5th December, 2018 passed by learned Member, MACT, Pune.

2. The applicant claims to have suffered 100% permanent disability on account of injury sustained in an accident and totally dependent on the family members. The applicant claims to have incurred huge expenses towards medical treatment.

3. In the backdrop of the nature of the injuries sustained by the applicant, his claim that he is totally dependent on the family

members cannot be said to be unreasonable. It can hardly be disputed that the applicant/original claimant requires the amount to meet the necessities of life. Hence, the application stands partly allowed.

4. The applicant/original claimant is permitted to withdraw 50% of the amount of compensation along with interest accrued thereon subject to furnishing an undertaking, before the Tribunal, to bring back the said amount along with interest at such rate as may be decided by this Court in the event the application is allowed and it is held that the applicant is not entitled for compensation.

5. Application stands disposed of.

(N. J. JAMADAR, J.)