

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.293 OF 2020
IN
FIRST APPEAL NO.493 OF 2021

Mr.Santosh Babanrao Jadhav

...Applicant

Versus

Regional Manager,

Reliance General Insurance Co. Ltd. & Anr

...Respondents

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KAMBLE

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Mr.Yogesh Pande, for the Applicant.

Ms.Megha Keluskar i/b Ms.Shalini Shankar, for the Respondents.

CORAM : S.G. DIGE, J.

DATE : 20 DECEMBER 2022

P.C:-

. Heard learned counsel for the Applicant and the learned counsel for the Respondents.

2. The learned counsel for the Applicant submit that the Applicant has suffered 30% disability in the accident. The Tribunal has awarded the compensation, but the order of Tribunal is challenged by the Respondent. Due to disability the Applicant is not able to do any work, hence suffering starvation. He has no source of income, hence he needs the amount for his daily expenses and requested to allow the Application.

3. The learned counsel for the Respondent strongly objected to allow the Application on the ground that the excessive and exorbitant compensation is awarded by the Tribunal. At the time of the accident offending vehicle was not holding effective and valid license, hence, requested to dismiss the Application.

4. I have heard both the counsel.

5. The Applicant has suffered 30% disability in the accident, due to accident, he has unable to do work, he require's amount for his daily expenses. Hence, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicant is permitted to withdraw 50% amount along with accrued interest thereon out of the deposited amount by Respondent on furnishing undertaking.
- (iii) The Application is disposed of.

(S.G. DIGE, J.)