

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.634 OF 2023
IN
FIRST APPEAL (ST) NO.18353 OF 2022

Ayub Firoz Khan And Anr. ...Applicant

Versus

Reliance General Insurance Company Ltd. ...Respondent

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

Mr.Harsh Pathak i/b Mr.Aniruddha Chandekar, for the
Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13 APRIL 2023

P.C:-

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

2. It is contention of the learned counsel for the
Applicant that the Applicant has suffered 35% permanent partial
disability due to the accident. His kidney has been removed due
to the accidental injuries and there are fractures to his leg. After
the accident the Applicant is unable to do any work. He has no
source of income. He needs the amount for daily expenses.
Hence, requested to allow the Application.

3. The learned counsel for the Respondent-Insurance Company strongly objected to allow the Application on the ground that the Tribunal has awarded exorbitant and excessive compensation. The monthly income of the Applicant is considered on higher side. Hence requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The Applicant has suffered 35% permanent partial disability due to the accidental injuries. His kidney has been removed. He has suffered fracture injuries to his leg. After the accident he is unable to do work, he has no source of income. The Applicants needs the amount for their daily expenses. Hence, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicants are permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)