

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1906 OF 2023
IN
FIRST APPEAL NO. 243 OF 2023

Mr. Anant Dattaram More

....Applicant

Versus

Cholamandalam Ms. General Ins. Co. Ltd.

....Respondents

Mr. Deepak S. Kilaje for the Applicants.

Mr. Rajesh Kanojia a/w Nitika Singh i/b Res Juris for the Respondent

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th MARCH 2023.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for the respondent.

2. Learned counsel for the applicant submits the claimant has suffered serious injuries in the motor accident he has suffered permanent partial disability of 50%. After accident he is unable to do any work, he has no source of income, he needs the amount for his

daily expenses. Hence, requested to allow the application.

3. Learned counsel for the respondent/insurance company strongly objected to allow the application on the ground that tribunal has awarded exorbitant and excessive compensation without considering evidence on record. Hence, requested to dismiss the application.

4. I have heard both learned counsel. Admittedly applicant has suffered 50% permanent disability in the said accident. After the accident he has no source of income, he has spent huge amount on medical expenses. Hence, I pass following order.

ORDER

- i. Application is allowed.
- ii. Applicant is permitted to withdraw Rs. 6,00,000/- out of deposited amount along with accrued interest thereon, on furnishing undertaking.
- iii. Application is disposed of.

(SHIVKUMAR DIGE, J.)