

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1319 OF 2023
IN
FIRST APPEAL NO.289 OF 2021

Mr.Rashmikumar Jaysukhlal Doshi ...Applicant

Versus

Future Generali India Ins. Co. Ltd. ...Respondent

Mr.Jitendra P. Gore, for the Applicant.

Mr.rajesh Kanojia a/w Ms.Nikita Singh i/b Res Juris, for the Respondent.

CORAM : S.G. DIGE, J.

DATE : 10 MARCH 2023

P.C:-

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

2. The learned counsel for the Applicant submit that the Applicant was injured in the accident, due to the said accident the Applicant has suffered 43% disability. After the accident Applicant has no work and he is facing financial difficulties, he has no source of income. The Applicant needs the amount for his daily expenses. Hence, requested to allow the Application.

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2023.03.10
19:31:33 +0530

3. The learned counsel for the Respondent has objected to allow the Application on the ground that the Applicant has already received amount under medical reimbursement. But this fact is not considered by the Tribunal, hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. The Applicant has suffered 43% disability after accident. He is enable to do work. He needs the amount for their daily expenses. The issue raised by the Respondent can be considered at the time of the final hearing of the Appeal. Hence, I pass following order.

ORDER

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

(S.G. DIGE, J.)