

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 2662 OF 2023

IN

FIRST APPEAL (ST) 5247 OF 2023

SHANTANU
SHANKARSA
DHUDUM

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Date: 2023.04.13
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Pradip Dinkar Pawar & Anr.

....Applicants

Versus

The New India Insurance Co. Ltd.

....Respondents

Mr. Sujay Gangal a/w Mr. R. Joshi a/w Ojas Gauri for the Applicant.
Mr. Sandeep Jinsiwale for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th APRIL 2023.

P.C. :

1. Learned counsel for the applicant submits that the applicant has suffered 75% permanent disability due to accidental injury. Applicant has no source of income. He needs the amount for daily expenses, he is unable to do any work after the accident. Hence, requested to allow the application.

2. Learned counsel for the respondent strongly objected to allow the application on the ground that the disability considered by the tribunal is on higher side. The tribunal has awarded exorbitant and excessive compensation. Hence, requested to dismiss the application.

3. I have heard both learned counsel, applicant has suffered 75% disability in the accident, he is unable to do any work, he has no source of income, he needs the amount for daily expenses. Hence, I pass following order.

ORDER

- i. Application is allowed.
- ii. Applicant is permitted to withdraw 50% amount alongwith accrued interest thereon, out of deposited amount on furnishing undertaking.
- iii. Application disposed of.

(SHIVKUMAR DIGE, J.)