

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 13516 OF 2023
IN
FIRST APPEAL NO. 634 OF 2022**

Vishal Bhaskar Koli	...Applicant
In the matter of	
Reliance General Insurance Co. Ltd.	...Appellant
Versus	
Vishal Bhaskar Koli and ors.	...Respondents

Mr. Rajan S. Pawar, Advocate for Applicant.
Ms. Kalpana R. Trivedi, Advocate for the Appellant.
Mr. Rahul Mehta i/b. KMC Legal Venture for Respondent No.3.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th DECEMBER, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for appellant– Insurance Company.
2. Learned counsel for the applicant submitted that applicant has suffered 30% permanent disability in the accident, he has no source of income, he requires the amount for daily expenses and medication. Hence, requested to allow the application.
3. It is the contention of learned counsel for respondent- Insurance Company that the cheque which was given as a premium of insurance policy has been dishonoured but this fact is not considered by the Tribunal. Hence, requested to reject the application.

4. I have heard both learned counsel. The applicant has suffered 30% disability in the accident. He has no source of income. He needs the amount for daily expenses and medication. Hence, I pass following order :

O R D E R

1. Application is allowed.
2. The applicant is permitted to withdraw 25% amount along with accrued interest thereon, out of the deposited amount, on furnishing usual undertaking.

The application stands disposed off.

(SHIVKUMAR DIGE, J.)