IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 15933 OF 2023
in
FIRST APPEAL NO.260 OF 2021

Sahil Farjandali Khan ….Applicant

In the matter of

Reliance General Insurance Company Limited ….Appellant
Versus
Sahil Farjandali Khan and ors. ….Respondents

Mr.Kaivalya Raul i/b. Mr. Prathamesh Sarang,Advocate for the Applicant.
Mr. Pandit Kasar, Advocate for the Appellant.

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 50% 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 appellant-Insurance Company that the Tribunal has considered income of the claimant on higher side. The disability certificate is not proved before the Tribunal. It was exaggerated disability but this fact has not been considered by the Tribunal. Hence, requested to reject the application.

4. I have heard both learned counsel. The applicant has suffered 50% disability in the accident. He has no source of income. He needs the amount for daily expenses. Hence, I pass following order :

O R D E R

1. Application is allowed.
2. The applicant is permitted to withdraw 30% amount along with accrued interest thereon, out of the deposited amount, on furnishing usual undertaking.

The application stands disposed off.

(SHIVKUMAR DIGE, J.)