

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 18104 OF 2023
IN
FIRST APPEAL STAMP NO.291 OF 2013**

Ravindra Shamrao DesaiApplicant

In the matter of

Divisional Officer, United India Inso Co. Ltd.
and ors.Appellant

Versus

Ravindra Shamrao Desai and ors.Respondents

Mr. Pritesh K. Bohade, Advocate for Applicant.
Mr. Aditya A. Joshi, 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 16% permanent disability in the accident. He is a senior citizen and 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 failed to consider that the claimant has not provided any detail about the motorcycle involved in the accident was insured with the Appellant-Insurance Company. Hence, requested to reject the application.

4. I have heard both learned counsel. The applicant has suffered 16% disability in the accident. He is a senior citizen and 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.)