

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
INTERIM APPLICATION NO. 15736 OF 2024
IN
FIRST APPEAL (ST) NO. 10772 OF 2024

Vinayak Annappa Yenchawandi Applicant

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd. Kolhapur Appellant

Versus

Vinayak Annappa Yenchawandi and Ors. Respondents

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Mr. S. G. Thorat, for the Applicant.

Mr. Avesh A. Ghadge ib Mr. Akshay A. Kulkarni, for the
Appellant/Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th DECEMBER, 2024.

P.C. :

1. By this application, Applicant is seeking withdrawal of the amount.

2. It is contention of learned counsel for the Applicant that due to accidental injuries Applicant has suffered 80% permanent physical disability. He has no source of income. He needs the amount for his daily expenses and medical expenses. Hence, requested to allow the application.

3. Learned counsel for the Appellant/Insurance Company strongly objected to allow the application on the ground that the Applicant was pillion rider on the motorcycle and he was not covered under the insurance policy but this fact is not considered by the Tribunal. Hence, requested to reject the application.

4. I have heard both learned counsel.

5. Applicant is suffered 80% permanent physical disability. He has no source of income. He needs the amount for his daily expenses and medical expenses. The issue raised by the learned counsel for the Appellant/Insurance Company can be considered at the time of final hearing of Appeal.

6. In view of above, I pass following order:

ORDER

- i. Application is allowed.
- ii. The Applicant is permitted to withdraw 50% amount along with accrued interest thereon, by furnishing usual undertaking.

The application stands disposed of.

(SHIVKUMAR DIGE, J.)