

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 15929 OF 2024

IN

FIRST APPEAL NO. 1282 OF 2024

Sandip Suryakant Katkar

... Applicant

Versus

S.B.I. General Insurance Co. Ltd.

... Respondent

.....
Mr. D.D. Rananaware, Advocate for the Applicant.

Ms. Shalini Shankar, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATED : 17th 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 claimant has suffered 40% disability. The claimant needed the amount for his daily expenses and medical expenses. Hence, requested to allow the application.

3. Learned counsel for the respondent- Insurance Company strongly objected to allow the application on the ground that Tribunal has awarded compensation on higher side without any evidence on record. Hence requested to reject the application.

4. I have heard both the learned counsel. Due to accidental injuries the claimant has suffered 40% disability. The claimant needed the amount for his daily expenses and medical expenses. The issue raised by the respondent- Insurance Company can be considered at the time of final hearing of the appeal. Hence, Considering this fact, I pass following order :

ORDER

- (i) The application is allowed.
 - (ii) The applicant is permitted to withdraw 50% amount out of deposited amount along with accrued interest thereon on furnishing usual undertaking.
5. The Interim application is disposed off.

(SHIVKUMAR DIGE, J.)