

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1324 OF 2024

Lalji R. Maurya

.... Org.
Applicant

In the matter between:

Reliance General Insurance Co. Ltd.,
Mumbai & Anr.

....Appellant

V/s.

Lalji R. Maurya & Anr.

....Respondents

Mr. Niketan Nakhwa, for Applicant/Respondent No.1.
Mr. Akshay Kulkarni, for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th FEBRUARY, 2024

P.C:-

1. Heard learned counsel for the Applicant and learned counsel for the Appellant.
2. The learned counsel for the Applicant submitted that the Applicant is sole earning member of his family. The Applicant has no source of income, he needs the amount for his daily expenses. Hence, requested to allow the Application.

3. The learned counsel for the Appellant-Insurance Company has objected to allow the Application. It is the contention of the Appellant/Insurance Company that, at the time of accident, Applicant was not holding effective and valid license, but this fact is not considered by the Tribunal. Hence, requested to dismiss the Application.

4. I have heard both learned counsel. The Applicant is the sole earning member of his family, the Applicant needs the amount for his daily expenses. The Applicant has no source of income. Hence, I pass following order;

ORDER

- i. The Application is allowed;
- ii. The Applicant is permitted to withdraw 50% amount out of the deposited amount, along with accrued interest thereon, on furnishing undertaking.

Application is disposed of.

(SHIVKUMAR DIGE, J.)

This order is corrected as per the Speaking to the Minutes order dated 27th February 2024.