

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

INTERIM APPLICATION NO. 7034 OF 2024
IN
FIRST APPEAL NO. 180 OF 2024

Roshan Dyaneshwar TariApplicant

IN THE MATTER BETWEEN

The Municipal Corporation of Gr.
Mumbai Thr. General ManagerAppellant
Versus

Roshan Dyaneshwar TariRespondent

Ms. Swati Sawant i/b S. K. Legal Associates, Advocate for the
Appellant.
Ms. Nidhi Kherodiya, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 27th MARCH, 2024.

P.C. :

1. By this application, Applicant is seeking withdrawal of the amount.
2. Learned counsel for the Applicant submits that due to accidental injuries Applicant has suffered 56% permanent physical disability. Applicant has no source of income. The Applicant needs

the amount for his daily expenses. Hence, requested to allow the Application.

3. Learned counsel for the Respondent/Corporation submits that the Tribunal has awarded compensation on higher side without any evidence on record. Hence, requested to reject the Application.

4. I have heard both learned counsel.

5. Applicant has suffered 56% permanent physical disability due to accidental injuries. Applicant has no source of income. Applicant needs the amount for his daily expenses. The issue raised by the learned counsel for the Respondent/Corporation can be considered at the time of final hearing of the appeal.

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

ORDER

i. Application is allowed.

ii. The Applicant permitted to withdraw 30% amount out of deposited amount along with accrued interest thereon. On furnishing undertaking.

. Application stands disposed of.

(SHIVKUMAR DIGE, J.)