

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

**INTERIM APPLICATION NO. 8471 OF 2024
IN
FIRST APPEAL (ST) NO. 1411 OF 2024**

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Sunil Udaykant Thakur & Anr.Applicants
IN THE MATTER BETWEEN
Reliance General Insurance Co.

Ltd. MumbaiAppellant
Versus

Sunil Udaykant Thakur & Anr.Respondents

Mr. Akshay Kulkarni, Advocate for the Applicants/Respondents.
Mr. Akshay Kulkarni, , Advocate for the Appellant/Insurance
Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th MAY, 2024.

P.C. :

1. By this application, Applicants are seeking withdrawal of the amount.
2. Learned counsel for the Applicants submits that Applicants has suffered 53% permanent physical disability due to accidental injuries. Applicant is unable to do any work. Applicants have no

source of income. They need the amount for their daily expenses. Hence, requested to allow the Application.

3. Learned counsel for the Appellant/Insurance Company submits that accident has occurred due to sole negligence of the deceased but this fact is not considered by the Tribunal. Hence, requested to reject the Application.

4. I have heard both learned counsel.

5. Applicant has suffered 53% permanent physical disability. Applicants have no source of income. They need the amount for their daily expenses. The issue raised by the learned counsel for the Appellant/Insurance Company can be considered at the time of final hearing of the Appeal and, I pass following order:

ORDER

- i. Application is allowed.
- ii. Applicants are permitted to withdraw 30% amount, out of deposited amount along with accrued interest thereon, on furnishing undertaking.
- . The interim application stands disposed of.

(SHIVKUMAR DIGE, J.)