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

INTERIM APPLICATION NO. 19299 OF 2022
IN
FIRST APPEAL NO. 157 OF 2015

Rohidas Ambadas Chavan ....Applicant

IN THE MATTER BETWEEN

Bajaj Alliance Insurance Co. Ltd. ....Appellant
Versus
Rohidas Ambadas Chavan & Anr. ....Respondents

Mr. Shrishailya S. Deshmukh, Advocate for the Applicant.
Ms. Yogita Deshmukh, Advocate for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th MARCH, 2024.

P.C. :

1. It is contention of learned counsel for the Applicant that Applicant has suffered 65% permanent physical disability due to accidental injuries. Applicant has no source of income. He needs the amount for the daily expenses. Due to accidental injuries, he is unable to do any work. Hence, requested to allow the Application.

2. It is contention of learned counsel for the Respondent/Insurance Company that the Tribunal has considered income of the Claimant on higher side. This fact is challenged by the Respondent before this Court. Hence, requested to reject the Application.

3. I have heard both learned counsel. Applicant has suffered 65% permanent physical disability due to accidental injuries. Applicants has no source of income. He needs the amount for the daily expenses. Due to accidental injuries, he is unable to do any work. The issue raised by the learned counsel for the Respondent/Insurance Company can be considered at the time of the final hearing of the Appeal hence, I pass following order.

ORDER

i. Application is allowed.

ii. Applicant is permitted to withdraw 50% amount out of deposited amount along with accrued interest thereon, on furnishing undertaking.

Application is disposed of.

(SHIVKUMAR DIGE, J.)