

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
INTERIM APPLICATION NO. 501 OF 2024
IN
FIRST APPEAL (ST) NO. 34145 OF 2023

Reliance General Insurance Co. Ltd., Mumbai Applicant

Versus

Vaibhav Chandrakant Vora And Anr. Respondents

WITH
INTERIM APPLICATION NO. 14116 OF 2024
IN
FIRST APPEAL (ST) NO. 34145 OF 2023

Vaibhav Chandrakant Vora Applicant

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd., Mumbai Appellant

Versus

Vaibhav Chandrakant Vora and Anr. Respondents

WITH
INTERIM APPLICATION NO. 502 OF 2024
IN
FIRST APPEAL (ST) NO. 34145 OF 2023

Reliance General Insurance Co. Ltd., Mumbai Applicant

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Versus

Vaibhav Chandrakant Vora And Anr.

.... Respondents

Mr. Akshay Kulkarni, for the Applicant in IA/501/2024 & IA/502/2024 AND Respondents in IA/14116/2024.

Mr. Vasant N. More, for the Respondents in IA/501/2024 & IA/502/2024 AND Applicant in IA/14116/2024.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th NOVEMBER, 2024.

P.C. :

INTERIM APPLICATION NO. 501 OF 2024

1. Heard learned counsel for the Applicant.
2. Considering the submissions of the learned counsel for the Applicant and the reasons mentioned in the Application, the delay of 51 days for filing the Appeal is condoned. The Application is allowed and disposed of.
3. The Appeal be registered.

INTERIM APPLICATION NO. 14116 OF 2024

1. By this application, Applicant is seeking withdrawal of the amount.

2. It is contention of learned counsel for the Applicant that deceased was the Karta of his family, due to death of deceased the Applicants are facing financial crunches. It may take time to dispose of the appeal. The trial Court has awarded the compensation hence, requested to allow the application.

3. It is contention of learned counsel for the Respondent/Insurance Company that at the time of accident driver of offending vehicle was not holding valid driving licence and the compensation is awarded on higher side without any reasonable ground. Hence, requested to reject the application.

4. I have heard both learned counsel. Deceased was the Karta of his family. Applicants needs the amount for their daily expenses. The issue raised by the learned counsel for the Respondent can be considered at the time of final hearing of the appeal.

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

ORDER

- i. Application is allowed.
- ii. Applicants are permitted to withdraw 50 % amount along with accrued interest thereon out of deposited amount, on furnishing usual undertaking.

INTERIM APPLICATION NO. 502 OF 2024

1. Learned counsel for the applicant.
2. Learned counsel for the applicant submits that applicant has deposited entire award amount along with accrued interest thereon.
3. Considering the submissions of the learned counsel for the applicant and reasons mentioned in the application, the impugned order passed by the Tribunal is stayed till final disposal of the appeal. Application is disposed of.

(SHIVKUMAR DIGE, J.)