

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 9237 OF 2024
WITH
FIRST APPEAL STAMP NO. 20316 OF 2023**

Sharad Eknath Karle Applicant

In the matter of

Reliance General Insurance Co.Ltd. ... Appellant

versus

Sharad Eknath Karle and ors. Respondents

Ms. Shalini Shankar, Advocate for the Appellant.

Mr. Aniket Nangare i/b. Mr. N. V. Bhutekar, Advocate for the
Applicant/Respondent No.1.

CORAM : ARUN R. PEDNEKER, J.

DATE : 12th JUNE, 2024.

P.C. :

1. Learned counsel appearing for the Insurance Company submits that the accident occurred on 15th November 2007, whereas the insurance policy was for a period of 26th November 2007 to 25th November 2008. She further submits that excessive amount is granted towards disability. However, perusal of the judgment and order passed by the Tribunal shows that in paragraph 25, the Tribunal has observed that in written statement there was a specific mention that the insurance policy was for a period 12th November 2007 to 11th November 2008. The Tribunal has further considered the income of Rs.6,000/- of the applicant

and disability suffered by the applicant is of 80% and accordingly granted total compensation of Rs.6,90,340/-. Even if the case of the Insurance Company is accepted, there cannot be much reduction in the total amount to be granted to the claimant. In view of the same, I permit the applicant to withdraw Rs.4,00,000/- along with accrued interest thereon on furnishing usual undertaking to the satisfaction of the Presiding Officer of the concerned Tribunal where the amount is deposited. The interim application is allowed and disposed of.

2. The First Appeal is admitted.

3. Mr. Nangare, learned counsel, waives service of notice for respondent No.1.

(ARUN R. PEDNEKER, J.)