

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

INTERIM APPLICATION NO. 14426 OF 2024
IN
FIRST APPEAL NO. 306 OF 2022

Ramesh Appa Randive Applicant

IN THE MATTER BETWEEN

Vikas Nana Gaikwad Appellant

Versus

Ramesh Appa Randive and Anr. Respondents

Mr. A. P. Kulkarni a/w Ms. Shweta Shah, for the Applicant
Mr. D. D. Ranaware, for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th DECEMBER, 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 disability, Applicant is unable to do any work. He needs the amount for medical expenses and daily expenses. Learned counsel further submitted that the Appellant has deposited 50% amount out of total amount. The Applicant was permitted to withdraw 30% amount

earlier by this Court, hence requested the Applicant be permitted to withdraw the remaining deposited amount.

3. Learned counsel for the Appellant strongly objected to allow the application on the ground that, the Tribunal has awarded compensation on higher side without considering evidence on record. Hence, requested to reject the application.

4. I have heard both learned counsel.

5. Due to accidental injuries, the Applicant has suffered permanent physical disability. He has no source of income. He needs the amount for medical expenses and daily expenses. The issue raised by the learned counsel for the Appellant 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 is permitted to withdraw the remaining deposited amount along with accrued interest thereon, by usual furnishing undertaking.

The application stands disposed of.

(SHIVKUMAR DIGE, J.)