

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

INTERIM APPLICATION NO. 376 of 2025

in

FIRST APPEAL STAMP NO. 4099 of 2020

Christiline Dattaram Patil ... Applicant/
Org.Claimant

In the matter of

Reliance General Insurance Co.Ltd. ... Appellant

versus

Christiline Dattaram Patil and anr. Respondents

Mr. H. S. Gupta i/b. Mr. S. R. Gupta, Advocate for the Applicant.
Ms. Kalpana R. Trivedi, Advocate for the Appellant.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th JANUARY, 2025.

P.C. :

1. Heard learned counsel for the applicant and learned counsel for appellant-Insurance Company.
2. By this application, the applicant is seeking withdrawal of the amount. Learned counsel for the applicant submits that due to accidental injury, the applicant has suffered 38% disability. The applicant has no source of income, she needs the amount for daily expenses. Hence, requested to allow the application.
3. Learned counsel for appellant - Insurance Company strongly objected to allow the application on the ground that the policy was act only policy, hence, the Tribunal should not have granted compensation but this fact is not considered. Hence, requested to reject the application.

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4. I have heard both learned counsel. Due to accidental injuries, the applicant has suffered 38% disability. The applicant has no source of income, she needs the amount for her daily expenses. The grounds raised by the appellant-Insurance can be considered at the time of final hearing of the appeal. Hence, I pass the following order :

O R D E R

1. The application is allowed.
2. The applicant is permitted to withdraw 25% amount along with accrued interest therein, out of the deposited amount on furnishing usual undertaking.

The application is disposed of.

(SHIVKUMAR DIGE, J.)