

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

**INTERIM APPLICATION NO. 572 OF 2025
IN
FIRST APPEAL (ST) NO. 810 OF 2018**

Santosh Subhash Kshirsagar Applicant

IN THE MATTER BETWEEN

National Insurance Company Limited Appellant

Versus

Santosh Subhash Kshirsagar and Ors. Respondents

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Mr. Manan Talati /b Mr. Nikhilesh Pote, Advocate for the Applicant.
Ms. Shalini Shankar, Advocate for the Appellant – Insurance
Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th AUGUST, 2025.

P.C. :

1. By this application, the Applicant is seeking withdrawal of the amount.
2. It is contention of learned counsel for the Applicant that due to accidental injuries, the Applicant has suffered 40% permanent physical disability. He needs the amount for his daily expenses and medical expenses. Hence, requested to allow the appeal.
3. It is contention of learned counsel for the Appellant –

Insurance Company that the Tribunal has awarded compensation on higher side without any evidence is produced on record. Hence, requested to reject the application.

4. I have heard both learned counsel.

5. Due to accidental injuries, the Claimant has suffered 40% permanent physical disability. He needs the amount for his daily expenses and medical expenses. The issue raised by the learned counsel for the Appellant – Insurance Company can be considered at the time of final hearing of the appeal, and I pass following order :

ORDER

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

(SHIVKUMAR DIGE, J.)