IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 14642 OF 2024
IN
FIRST APPEAL NO. 511 of 2022

Dinesh Murji Badra …..Applicant/s

In the matter of
Shriram General Company Ltd. Mumba ...Appellant
versus
Dinesh Murji Badra and anr. ….Respondents

Mr. T. R. Kale, Advocate for the Applicant.
Mr. Pandit Kadar, Advocate for Appellant-Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st AUGUST, 2025.

PC :

1. Heard learned counsel for the applicant and learned counsel for appellant-Insurance Company.

2. By this application, the appellant/claimant is seeking withdrawal of the amount. Learned counsel for the applicant submitted that the due to accidental injury, the claimant has suffered 48% permanent physical disability. He has no source of income, he needs the amount for his medical expenses as well 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 insurance policy produced on record was fake. Evidence to that effect was produced on

record, but the Tribunal has not considered it.Hence, requested to reject the application.

4. I have heard both learned counsel. The claimant has suffered 48% permanent physical disability. He has no source of income, he needs the amount for his medical expenses as well 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 30% of the deposited amount along with the accrued interest thereon, subject to furnishing the usual undertaking.

Accordingly, the application stands disposed of.

(SHIVKUMAR DIGE, J.)