IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 15482 OF 2024
IN
FIRST APPEAL (ST) NO. 30957 OF 2023

Latifa Hanif Karjikar … Applicant
Versus
United India Insurance Company Limited ... Respondent

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Mr. Snajay Ghaisas, Advocate for Applicant.
Mr. Rahul Mehta i/b. KMC Legal Venture, Advocate for the Respondent - Insurance Company.

CORAM : SHIVKUMAR DIGE, J.
DATED : 20th JANUARY, 2025.

P.C. :

1. By this application, applicant is seeking withdrawal of amount.

2. It is the contention of learned counsel for the applicant that applicant has suffered 12% permanent disabilities in the accident. Due to accidental injuries, applicant has no source of income. She needs amount for daily expenses, hence requested to allow the application.

3. Learned counsel for the respondent Insurance company submits that policy of pillion rider was not covered but the Tribunal has not considered this fact and requested to reject the application.

4. I have heard both the learned counsel. The applicant has suffered 12% permanent disabilities due to accidental injuries. She has no source of income. The issue raised by the appellant can be considered

at the time of final hearing of the appeal. Hence, considering this fact, I pass

following order:

ORDER

(i) The application is allowed.

(ii) The applicant is permitted to withdraw 40% amount out of deposited amount along with accrued interest thereon on out of deposited amount on furnishing usual undertaking.

5. The Interim application is disposed of.

(SHIVKUMAR DIGE, J.)