

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

INTERIM APPLICATION NO. 304 of 2025

in

FIRST APPEAL NO. 1789 of 2024

Rajendra Bhagwan Bhujbal

... Applicant/
Org.Claimant

In the matter of

ICICI Lombard General Insurance Co.Ltd.

... Appellant

versus

Rajendra Bhagwan Bhujbal and anr.

.... Respondents

Mr.Abhishek R. Avachat along with Mr. Akshay Mishra, Advocates for the Applicant.

Mr. Rajesh Kanojia i/b. Res Juris, Advocates 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 53% permanent disability. The applicant has no source of income, he needs the amount for his 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 applicant has suffered single fracture injury and is continued in service. In spite of that,

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the Tribunal has granted compensation amount of Rs.50,00,000/-, which is excessive. Hence, requested to reject the application.

4. I have heard both learned counsel. Due to accidental injuries, the applicant has suffered 53% permanent disability. The applicant has no source of income, he needs the amount for his 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.)