

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1698 OF 2025

IN

FIRST APPEAL NO. 1262 OF 2024

Pravin Vilasrao Desai

... Applicant

IN THE MATTER BETWEEN

SBI General Insurance Co. Ltd.

... Appellant

Versus

Pravin Vilasrao Desai And Anr.

... Respondents

.....

Mr. Sanjay Ghaisas, Advocate for Applicant.

Ms. Shalini Shankar, Advocate for Appellant – Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATED : 23rd JULY, 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 due to accidental injuries the applicant has suffered 22% permanent physical disability. He needs the amount for medical expenses and daily expenses. Hence, requested to allow the application.
3. It is contention of learned counsel for the appellant- Insurance company that the Tribunal has awarded compensation on higher side. After the accident, the salary of the applicant is increased but this fact is not considered by the Tribunal, hence requested to reject the application.

4. I have heard both the learned counsel. Due to accidental injuries the applicant has suffered 22% permanent physical disability. The applicant need the amount for medical expenses and daily expenses. The grounds raised by the appellant- Insurance Company 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 50% 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.)