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

**INTERIM APPLICATION NO.6545 OF 2025
IN
FIRST APPEAL NO.618 OF 2025**

Harshada Kapil Dongre ...Applicant

In the matter between

Reliance General Insurance Co. Ltd. ...Appellant

vs.

Harshada Kapil Dongre & Ors. ...Respondents

Ms. Seema Dighe i/b Mr. Priyal G. Sarda for the Applicant.
Mr. Avesh A. Ghadge i/b Mr. Akshay Kulkarni for the Appellant.

CORAM : SHYAM C. CHANDAK, J.

DATE : 29th APRIL 2025

P. C. :

. Present Application filed by the original claimant seeking withdrawal of entire decretal amount along with accrued interest.

2) The Application is opposed by Mr. Ghadge, learned Advocate for the Appellant on the ground that, at the time of accident offending bike was driven by Respondent No.1-minor i.e. son of Respondent No.2. As such, there was breach of policy condition.

3) However, the Applicant is third party. The Applicant cannot be blamed for the said accident. The Applicant has lost one eye in the said

accident which caused him 50% loss of vision. Additionally, the Applicant has suffered 50% permanent partial disability with reference to his body due to other injuries.

4) In view thereof, the Applicant is permitted to withdraw 50% of the compensation amount along with proportionate interest subject to furnishing an undertaking that, in case the Appellant succeeds in this Appeal, the Applicant would refund the said amount along with interest as would be directed by this Court. The Tribunal concerned shall invest remaining amount with Nationalized bank giving highest interest from time to time.

5) Application is disposed of.

(SHYAM C. CHANDAK, J.)