

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.7890 OF 2025
IN
FIRST APPEAL NO.235 OF 2025

Yogesh Hanuman Kudav & Anr. Applicant

V/s.

Cholamandalam General Insurance Co. Ltd. Respondents

Ms.Rina Kundu, for Applicant Nos.1 and 2.
Mr.Sarthak S. Diwan, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th JUNE 2025

P.C:-

. Heard learned counsel for the Applicants and learned counsel for the Respondent.

2. By this Application, the Applicant is seeking withdrawal of the amount.

3. It is contention of the learned counsel for the Applicants submit that, due to accidental injuries the Claimants has suffered 37% permanent physical disability but the Tribunal has considered 47% disability. He is unable to do any work. He

has no source of income. He needs amount for daily and medical expenses. Hence, requested to allow the Application.

4. The learned counsel for the Respondent has objected to allow the Application on the ground that the Tribunal has considered monthly income on higher side. The Claimant has already received amount under Mediclaim Policy. He is not entitled for amount for accidental injuries. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 37% permanent physical disability. He needs amount for daily and medical expenses. He has no source of income. The issue raised by the Respondent can be considered at the time of the final hearing. Hence, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicants are permitted to withdraw 40% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)