

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.8694 OF 2025
IN
FIRST APPEAL NO.752 OF 2025

Neitu Ramsambhar Shukla & Anr. Applicant

IN THE MATTER BETWEEN

New India Insurance Co. Ltd. Appellant

V/s.

Neitu Ramsambhar Shukla & Anr. Respondents

Ms.Swati Sinha, for the Appellant in FA No.752 of 2025.

Mr.Nikhil Mehta i/b KMC Legal Venture, for the Applicant in IA
No.8694 of 2025.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th JUNE 2025

P.C:-

. Heard learned counsel for the Applicant and learned
counsel for the Respondents.

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

3. It is contention of the learned counsel for the
Applicants that, due to accidental injuries the Applicant has

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suffered 82% permanent physical disability. She is unable to do any work. She has no source of income. She needs amount for daily expenses 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, initially Applicant contended that she was student but thereafter, she shown herself as a Director. The Tribunal has considered monthly income at Rs.45,000/-, which is exorbitant and on that basis compensation is awarded, which is on higher side. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. Admittedly, the Applicant has suffered permanent physical disability due to accident. Whether disability and income considered by the Tribunal is proper or not will be considered at the time of final hearing of the Appeal. She needs amount for daily expenses. She has no source of income. Considering these facts, I pass following order.

ORDER

- (i) The Application is allowed.
- (ii) The Applicant is permitted to withdraw 50% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)