IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.8722 OF 2025
IN
FIRST APPEAL NO.222 OF 2025

Abdullah Mohd Haees Khan & Anr. …. Applicants

V/s.

The Reliance General Insurance Co. Ltd., Thane …. Respondent

Ms.Rina Kundu, for Applicant No.1.
Ms.Kalpana Trivedi, for the Respondent.

NILAM SANTOSH KAMBLE
Digitally signed by NILAM SANTOSH KAMBLE
Date: 2025.06.17 16:32:09 +0530

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th JUNE 2025

P.C:-

. Heard learned counsel for the Applicants and learned counsel for Respondent No.1.

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 23% permanent physical disability, but the Tribunal has considered 20%. He is unable to do any work. He has no

source of income. He needs amount for daily expenses. Hence, requested to allow the Application.

4. The learned counsel for the Respondent has objected to allow the Application on the ground that at the time of the accident driver of the offending vehicle was not holding effective and valid driving license. The Tribunal has considered income of the Applicant on higher side and offending vehicle had no valid license. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 20% permanent physical disability. He needs amount for daily 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 50% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)