IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9266 OF 2025
IN
FIRST APPEAL (ST) NO.7530 OF 2025

Anil Kumar Maheshwar Biswal …. Applicant

IN THE MATTER BETWEEN

The New India Assurance Co. Ltd. …. Appellant

Versus

Anil Kumar Maheshwar Biswal & Anr. …. Respondents

Mr. Navin C. Sheth, Advocate for the Applicant.
Mr. D. R. Mahadik, Advocate for the Appellant – Insurance Company.

CORAM : SHIVKUMAR DIGE, J.

DATE : 2nd JULY, 2025.

P.C. :

1. By this application, the Applicant is seeking withdrawal of the amount.

2. It is contention of learned counsel for the Applicant that due to accidental injuries the Applicant has suffered 65% permanent physical disability. The Appliant has no source of income and needs the amount for his daily expenses and medical 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. The Applicant had withdrawn the amount under mediclaim policy. Hence, requested to reject the application.

4. I have heard both learned counsel.

5. Due to accidental injuries, the Applicant has suffered 65% permanent physical disability. The Applicant needs the amount for his daily expenses and medical expenses. The issue raised by the learned counsel for the Appellant – Insurance Company can be considered at the time of final hearing of the appeal, and I pass following order :

ORDER

i. The application is allowed.

ii. The Applicant is permitted to withdraw the amount of Rs.10,69,860/- out of deposited amount along with accrued interest thereon, on furnishing undertaking.

. The application is accordingly stands disposed of.

(SHIVKUMAR DIGE, J.)