

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9335 OF 2025

IN

FIRST APPEAL(ST) NO. 6479 OF 2025

Mohammed Arif Ahmed Shaikh

... Applicant

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd.

... Appellant

Versus

Mohammad Arif Ahmed Shaikh And Anr.

... Respondents

Digitally signed
by SONALI
SATISH
KILAJE
Date: 2025.07.07
15:03:24
+0700

.....
Mr. Saumen Vidyarthi a/w. Ms. Ishita Bhole and Mr. Mohit Turakhia,
Advocates for Applicant.

Mr. Pandit Kasar, Advocate for the Appellant in FA(St)./6479/2025.

CORAM : SHIVKUMAR DIGE, J.

DATED : 4th JULY, 2025.

P. C. :

1. By this application, applicant is seeking withdrawal of amount.
2. It is the contention of learned counsel for the applicant that though applicant has suffered 10% permanent physical disability but the said disability is more than actual disability. The applicant is unable to do any work due to disability. He needs the amount for daily expenses and medical expenses. Hence, requested to allow the application.
3. It is contention of learned counsel for appellant - Insurance company that at the time of accident applicant was not holding effective and valid

driving licence. He was not wearing helmet but this fact is not considered by the Tribunal, hence requested to reject the application.

4. I have heard both the learned counsel. Due to accidental injuries the applicant has suffered disability. He needs the amount for daily expenses and medical expenses. The issue raised by the appellant- Insurance Company can be considered at the time of final hearing of the appeal. Hence, considering this fact, I pass following order :

ORDER

- (i) The application is allowed.
 - (ii) The applicant is permitted to withdraw 50% amount out of deposited amount along with accrued interest thereon on out of deposited amount on furnishing usual undertaking.
5. The Interim application is disposed of.

(SHIVKUMAR DIGE, J.)