

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9628 OF 2025  
IN  
FIRST APPEAL NO.1176 OF 2025

Joseph Norbert Augustine .... Applicant

V/s.

Bajaj Allianz General Insurance Co. Ltd. .... Respondent

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Mr.Nikhil Mehta, for the Applicant.

Mr.D.S. Joshi, for Respondent No.1.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 09<sup>th</sup> JULY 2025

P.C:-

. Heard learned counsel for the Applicant 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 Applicant has suffered 74% permanent physical disability. He has been spend around Rs.14 lakhs for medical expenses. He needs amount

for medical and 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 offending vehicle was not involved in the accident and requested to reject the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 74% permanent physical disability. He needs amount for medical and daily expenses. 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 35% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)