

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.10188 OF 2025
IN
FIRST APPEAL NO.1795 OF 2024**

Shubhash Daulat Shirsath And Anr. Applicants

V/s.

Divisional Manager, Respondents
Reliance General Insurance Co. Ltd.

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Mr.Pritesh Bohade, for the Applicants.
Mr.Avesh Ghadge i/b Mr.Akshay Kulkarni, for Respondent Nos.1
and 2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st JULY 2025

P.C:-

. Heard learned counsel for the Applicants.

2. The learned counsel for the Applicants submits that the Applicant has suffered 75% disability in the said accident. After the accident the Applicant is unable to do any work. He has no source of income. He requires amount for daily and medical expenses. Hence, requested to allow the Application.

3. The learned counsel for the Respondent has objected to allow the Application on the ground that there was breach of Terms and Conditions of the Insurance Policy. The Tribunal has awarded compensation on higher side. Hence, requested to dismiss the Application.

4. I have heard both the learned counsel.

5. Admittedly, the Applicant has suffered 75% disability in the accident. After the accident he has no source of income. The Applicant needs the amount for daily expenses and medical expenses. Hence, I pass following order.

ORDER

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

(SHIVKUMAR DIGE, J.)