

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10615 OF 2025
IN
FIRST APPEAL NO.644 OF 2025

Hrushikesh Suresh More & Anr. Applicants

V/s.

Cholamandalam MS General Insurance Co. Respondents
Ltd, Thr. Manager

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Mr.Vasant N. More, for the Applicants.

Mr.Aditya Ghadge i/b Mr.S.S. Diwan, for Respondent No.1.

CORAM : SHIVKUMAR DIGE, J.

DATE : 31st JULY 2025

P.C:-

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

2. By this Application, the Applicants is seeking
withdrawal of the amount.

3. It is contention of the learned counsel for the
Applicants submit that due to accidental injuries the Claimant
has suffered 35% permanent physical disability. 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 there was breach of Terms and Conditions of the Insurance Policy and compensation is awarded on higher side, without evidence on record. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 68% 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 45% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)