

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.10747 OF 2025
IN
FIRST APPEAL NO.993 OF 2024

Ramesh Kumar Rajdev Pal And Anr. Applicants

V/s.

Bajaj Allianz General Insurance Company Respondents
Ltd.

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Mr.T.R. Kale i/b Ms.Rina Kundu, for the Applicants.

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

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th AUGUST 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 Claimants
has suffered 32% permanent physical disability. 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 the driver of the offending vehicle was not holding effective and valid driving license and income of the Claimant is considered on higher side. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 32% 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 40% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)