

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

**INTERIM APPLICATION NO.10758 OF 2025
IN
FIRST APPEAL NO.1051 OF 2025**

Mr. Mannan R. Shaikh And Anr. Applicants

V/s.

Future Generali India Insurance Co. Ltd. Respondents
Mumbai

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Mr. Balraj Brahmanand Nishad a/w Mr. Niketan Nakhawa, for
Applicant in IA and for Respondent No.1 in FA.
Mr. Rajesh Kanojia i/b Res Juris, for the Respondent.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th AUGUST 2025

P.C:-

. Heard learned counsel for the Applicant and learned
counsel for the Respondent.

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 27% permanent physical disability. He has no source

of income. He needs amount for daily expenses and medical 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 offending vehicle was involved in the accident but the Tribunal has not considered this fact and passed impugned order. Hence, requested to dismiss the Application.

5. I have heard both the learned counsel.

6. The Applicant has suffered 27% permanent physical disability. He needs amount for daily expenses and medical 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 30% amount along with accrued interest thereon on furnishing undertaking.

(SHIVKUMAR DIGE, J.)