

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.11427 OF 2025
IN
FIRST APPEAL NO. 1419 OF 2025

Ananda Namdev Chougule ...Applicant

IN THE MATTER BETWEEN:

The New India Assurance Company,
Divisional Office, Kolhapur ...Appellant

Versus

Ananda Namdev Chougule And Ors. ...Respondents

**WITH
FIRST APPEAL NO. 1419 OF 2025**

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Mr. S. Patil i/by S.R. Ganbavale for the Applicant in IA and
Respondent in appeal.

Mr. Atharava Bhingardive i/by Ms. Poonam Mittal for the Appellant in
Appeal and respondent in interim Application.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 18th DECEMBER, 2025

P.C.

1. By this application, applicant is seeking withdrawal of
amount.

2. It is contention of learned counsel for the applicant that due
to accidental injury, applicant has suffered 90% permanent physical
disability. The applicant has no source of income. The applicant needs

the amount for his daily expenses. Hence, requested to allow the application.

3. It is contention of learned counsel for the respondent – Insurance Company that there was no employer and employee relationship proved before the trial court. The compensation is awarded on higher side. Hence, requested to reject the application.

4. I have heard both learned counsels.

5. Considering the submissions of both the counsels as well as the applicant has suffered 90% permanent physical disability, the grounds raised by the Appellant can be considered at the time of final hearing of the appeal. Hence, I pass the following order:

ORDER

- (i) The application is allowed.
- (ii) The applicants are permitted to withdraw 50% amount along with accrued interest thereon out of the deposited amount on furnishing usual undertaking.
- (iii) The application is disposed off.

FIRST APPEAL NO. 1419 OF 2025 :

5. Stand over to 9th January, 2026.

(SHIVKUMAR DIGE, J.)