

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1625 OF 2016
WITH
CIVIL APPLICATION NO. 4609 OF 2016

Reliance General Insurance Co Ltd	...Appellant
<i>Versus</i>	
Puransingh Jagatsingh Athwal & Ors	...Respondents

Ms Deepika Prabala, i/b RES Juris, for the Applicant/MCGM.
Mr Nitesh V Bhutekar, for Respondent No.1 & for Applicant in CAF
No.4609 of 2016.

CORAM: G.S. PATEL, J
DATED: 30th June 2017

PC:-

1. **Admit.** By consent taken up for hearing and final disposal forthwith. Parties are agreed that the present compilation is sufficient.

2. After some discussion it is agreed on both sides that the only error in the order of the Court below was that a multiplier of 11 was used when the correct multiplier ought to be 9. The learned Advocate for the Respondents in fairness accept this as well. Consequently, the total amount of the award will stand reduced

from Rs.21,94,600/- to Rs.18,07,400/-. The four components of the amount are computed as follows:

	Particulars	Amount
1	Loss of Dependency	Rs.17,42,400/-
2	Loss of love and affection	Rs.00,20,000/-
3	Loss of estate	Rs.00,20,000/-
4	Funeral expenses and cost of transportation of body expenses	Rs.00,25,000/-
	Total	Rs.18,07,400/-

3. The Insurer has deposited a total amount of Rs.32,42,418/-. This included the initial award of Rs.21,94,600/- with interest accrued.

4. The Respondents Nos.1 and 2 will be at liberty to withdraw the principal amount of Rs.18,07,400/- with interest thereon at the rate of 7.5% p.a. till the date of withdrawal. The 1st and 2nd Respondent will also be entitled to proportionate interest from the amount deposited i.e. interest on Rs.18,07,400/- from the date of deposit onwards till the date of withdrawal. The balance amount will be permitted to be withdrawn by the Appellant. The MACT, Mumbai will permit the withdrawals acting on production of an authenticated copy of this order.

5. The First Appeal is disposed of in these terms with no order as to costs. In view of disposal of the Appeal, the Civil Application does not survive and is disposed of accordingly.

(G. S. PATEL, J.)