

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.862 OF 2016
ALONG WITH
CIVIL APPLICATION NO.2057 OF 2016

National Insurance Company Ltd., Fort, Mumbai.	 Appellant-Applicant
V/s.	
Shabnam Rahil Kalokhe and Ors.	 Respondents

Mr. Nikhil Mehta, I/by M/s. KMC Legal Venture, for the Appellant-Applicant/Insurance Company.

Mr. S.N. Gawade, I/by M/s. Shree & Co., for Respondent No.1.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 4TH OCTOBER, 2018.

P.C. :

1. Heard Mr. Mehta, learned counsel for the Appellant-Applicant/Insurance Company, and Mr. Gawade, learned counsel for Respondent No.1.

2. This Appeal is preferred by the Insurance Company, only challenging the Award of future prospects. The Tribunal has awarded 50% of the actual salary towards the future prospects.

3. Now considering the latest Judgment of the Hon'ble Apex Court in

the case of *National Insurance Company Limited Vs. Pranay Sethi, Special Leave Petition (Civil) No. 25590 of 2014, dated 31st October 2017*, no interference is warranted in the impugned Award passed by the Tribunal.

4. Therefore, the Appeal holds no merits; hence, stands dismissed.
5. The amount of Rs.25,000/-, which is deposited by the Appellant-Insurance Company as a statutory amount while filing the First Appeal, be transferred to the concerned Tribunal.
6. First Appeal stands disposed off in the above terms.
7. In view of the above, Civil Application No.2057 of 2016 pending in the Appeal does not survive and the same stands disposed off as infructuous.

[DR. SHALINI PHANSALKAR-JOSHI, J.]