

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

**CIVIL APPLICATION NO.1893 OF 2017
IN
FIRST APPEAL (ST.) NO.17384 OF 2017**

Reliance General Insurance Co. Ltd. .. Applicant/Appellant
Vs.
Smt.Kalpana Ravindra Gore & Ors. .. Respondents

**ALONG WITH
CIVIL APPLICATION NO.3760 OF 2019
IN
FIRST APPEAL (ST.) NO.17384 OF 2017**

Smt.Kalpana Ravindra Gore & Ors. .. Applicants
Vs.
Reliance General Insurance Co. Ltd. .. Respondent

**ALONG WITH
FIRST APPEAL (ST.) NO.17384 OF 2017**

Smt.Kalpana Ravindra Gore & Ors. .. Appellants
Vs.
Reliance General Insurance Co. Ltd. .. Respondent

Ms.Poonam Mital for the applicant in CAF 1893 of 2017 and for appellant.
Mr.Ahokrao Sankpal aw/ Mr.Ravindra S. Pachundkar and Mr.Sanket Inamke for the respondent nos.1 to 5 in CAF 1893 of 2017 and for the applicants in CAF 3760 of 2017.

**CORAM : R.D.DHANUKA, J.
DATE : 22nd January 2020**

P.C.:

. Learned counsel for the applicant and the respondent nos.1 to 5 have tendered calculations and submit that they have no objection if the appellant pays a sum of Rs.23,90,000/- with interest @8% p.a. from the date of the application till realisation as per statement tendered across the bar to the respondent nos.1 to 5 in First Appeal.

2. Calculations duly signed by the learned counsel for the parties are taken on record and marked 'X' for identification. The respondent nos.1 to 5 would be entitled to recover the said amount out of the amount deposited with the MACT upon production of the authenticated copy of this order.

3. The impugned judgment and award dated 20th August 2016 passed by the MACT in MACP No.708 of 2014 is substituted by the aforesaid order. First Appeal is disposed of on aforesaid terms. In view of disposal of the First Appeal, both the civil applications do not survive and are accordingly disposed of. No order as to costs.

4. Office is directed to transmit the statutory deposit of Rs.25,000/- to the concerned MACT expeditiously. MACT to refund the surplus amount, if any, to the appellant after paying the decretal amount to the respondent nos.1 to 5. If there is any shortfall in recovering the amount by the appellant, the same shall be deposited by the appellant within two weeks from the date of computation of such shortfall by the MACT. Parties as well as the MACT to act upon the authenticated copy of this order.

R.D.DHANUKA, J.