IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO.1110 OF 2019

Royal Sundaram General Insurance
Co. Ltd ..Appellant

Vs.

1. Sangita w/o. Uttam Gaikwad,
2. Sukesh s/o. Uttam Gaikwad,
3. Sudhir s/o. Uttam Gaikwad,
4. Kishor s/o. Nivarti Gade ..Respondents

Mr.A.S.Deshpande and Mr.A.A.Puranik, Advocate for appellant
Mr.R.B.Deshpande, Advocate for respondent nos.1 to 3

CORAM : R.G. AVACHAT, J.
DATE : OCTOBER 04, 2021

ORDER :-

This is an insurance-company's appeal, taking exception to the quantum of compensation on account of death in a vehicular accident. The challenge is only on the aspect of failure of the Tribunal to deduct statutory contribution of the deceased towards government provident fund and policy granting life insurance cover.

2. According to learned counsel for the appellant – insurance company, the Tribunal ought not to have taken into consideration a sum of Rs.500/- and Rs.120/- contributed by the deceased for his G.P.F. and L.I.C. premiums. The submission is stated to be rejected simply on the ground that the said amount was very much part of salary of the deceased and it was he, who used to contribute the same to secure his post retirement life. The same is not statutory deduction like profession tax, income tax, etc.

3. I have carefully perused the impugned award to find it requiring no interference in this appeal. The appeal, therefore, fails. The same is dismissed.

4. The amount in deposit be paid to the respondents/claimants along with interest accrued thereon, immediately.

[R.G. AVACHAT, J.]

KBP