

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

**REVIEW PETITION IN FIRST APPEAL NO.9 OF 2023
IN
FIRST APPEAL NO.664 OF 2014**

Harunrasid Abdulkarim Khan & Anr.Petitioners

V/s.

M/s.STC. ETC MAE (JV) & Anr.Respondents

**NILAM
SANTOSH
KAMBLE**

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NILAM SANTOSH
KAMBLE
Date: 2023.12.12
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Mr.T.J. Mendon, for the Petitioners.

Mr.Himanshu B. Takke i/b Mr.Milind V. More, for the
Respondents.

CORAM : SHIVKUMAR DIGE, J.

DATE : 7th DECEMBER 2023

P.C:-

. By this Review Petition, Review Petitioner seeks
review of the order passed by this Court.

2. It is contention of the learned counsel for Review
Petitioners that, this Court has allowed the Appeal filed by
Review Petitioners. The learned counsel further submitted that,
the Tribunal has awarded Rs.1,00,000/- compensation to the
Review Petitioners, whereas Tribunal had come to the conclusion
that, the Review Petitioners are entitled for Rs.2,70,000/-, but

considering the negligence of the grand-father of the deceased, the Tribunal has deducted amount of Rs.1,70,000/- from the whole amount. This Court has awarded the amount of Rs.1,70,000/- to the Review Petitioners. The issue in Review Petition is, whether this Court has awarded Rs.1,70,000/-, including Rs.2,70,000/- excluding Rs.1,00,000/- earlier granted by the Tribunal or not.

3. It is contention of the learned counsel for the Respondent that, the order passed by this Court is legal and valid and no interference is required in it.

4. I have heard both learned counsel.

5. This Court in Order dated 17th March 2023 in para six has observed that, the Tribunal while awarding the compensation has come to the conclusion that, the Claimant's are entitled for Rs.2,70,000/-, in spite of that, Tribunal has awarded Rs.1,00,000/-. Hence, Review Petitioner's -Claimants are entitled for remaining amount of Rs.1,70,000/-. There is no question of getting more amount.

6. In view of above, I pass following order.

ORDER

(i) Order dated 17th March 2023 is modified and Review Petition is disposed of with following modification.

“The Tribunal has awarded Rs.1,00,000/- to the Review Petitioner’s and this Court has awarded Rs.1,70,000/-, in addition to it so Review Petitioner’s entitled for total amount of Rs.2,70,000/-.”

(SHIVKUMAR DIGE, J.)