

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**INTERIM APPLICATION NO.30048 OF 2022**  
**IN**  
**FIRST APPEAL NO.384 OF 2022**

Mrs.Divya Girish Kapadia & Ors. .. Applicants

**In the matter between :-**

The Oriental Insurance Co. Ltd. .. Appellant

**Versus**

Mrs.Divya Girish Kapadia & Ors. .. Respondents

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Mr.Navinchandra C. Sheth for the Applicants.

Mr.D.S.Joshi for the Respondent/Orig. Appellant.

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**CORAM: BHARATI DANGRE, J.**  
**DATED : 04<sup>th</sup> NOVEMBER, 2023**

**P.C:-**

1. By Judgment dated 08/06/2022, the First Appeal filed by the Insurance Company was disposed off, by modifying the order passed by the Tribunal and the compensation awarded under the distinct heads was directed to be computed in the manner set out in paragraph 17 of the Judgment.

In furtherance of the direction, it is informed that the Insurance Company has recomputed the amount of compensation and deposited in this Court.

2. The present interim application is taken out by the wife of the deceased, Mrs.Divya Kapadia and it is informed that Applicant No.2-Bhakti Girish Kapadia had already expired on 14/05/2012 and in fact an application to that effect was also moved before the Tribunal, but it was not taken into consideration.

Ms.Bhakti was married to one Chintan Gosaliya, but was always residing separately from the family. She was diagnosed with Sepsis Thrombotic Thrombocytopenic Purpurs and was treated in Bombay Hospital, but she succumbed to the said ailment and it is her mother, who had arranged for the medical expenses.

By the present application, it is informed that the other dependents of the deceased i.e. Shraddha Girish Kapadia and Sagar Girish Kapadia, have no objection for the share of Bhakti being disbursed in favour of their mother.

3. Considering the aforesaid facts, the amount of compensation, which is deposited by the Insurance Company, shall be disbursed in the manner indicated above, at the request of the heirs of the deceased.

4. The interim application stands disposed off.

**( SMT. BHARATI DANGRE, J.)**