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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**912 CIVIL APPLICATION NO. 11798 OF 2024
IN FAST/14227/2024**

ARCHANA DHANANJAY KADAM AND ORS

....Applicants

VERSUS

BRIJESHKUMAR S R AHIRWAR AND ORS

.....Respondents

Mr. A. G. Vasmatkar, Advocate for the applicants

Mr. S. S. Rathi, Advocate for the respondent No.3

CORAM : KISHORE C. SANT, J.

DATE : 25th OCTOBER, 2024

P. C.

1. Heard the parties.

2. The learned advocate Mr. Rathi, submits that the learned tribunal has considered the notional income of the deceased to Rs.6000/- per month and added Rs.4000/- without any proof. Out of said amount of Rs.10,000/- personal deduction are not taken into consideration. He submits that at the most amount would come to Rs.4,800/- per month. With

that calculation amount of compensation would come to Rs.8,06,000/- plus only amount towards consortium, loss of estate can be given. He thus opposed the application.

3. It is submitted that with interest now the amount deposited is Rs.26,84,350/-.

3. However, considering this aspect following order:

ORDER

a] The applicants are allowed to withdraw the amount of Rs.15 lakhs out of the amount deposited in the office of this court on furnishing usual undertaking.

b] Remaining amount be fixed in any nationalized bank pending the appeal.

c] The applicants to get the amount in equal proportion.

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d] The application stands disposed off.

[KISHORE C. SANT, J.]

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