

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

**INTERIM APPLICATION NO.10576 OF 2024
IN
FIRST APPEAL NO.966 OF 2023**

Draupada Namdev Patil & Ors. Applicants

V/s.

Go. Digit General Insurance Co. Ltd., & Respondents
Ors.

NILAM
SANTOSH
KAMBLE

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NILAM SANTOSH
KAMBLE
Date: 2024.07.29
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**WITH
INTERIM APPLICATION NO.15995 OF 2023
IN
FIRST APPEAL NO.966 OF 2023**

Go. Digit General Insurance Co. Ltd., & Applicants
Ors.

V/s.

Draupada Namdev Patil & Ors. Respondents

Mr. Tejpal Ingale, for the Applicants in FA and for the
Respondent Nos.1 to 4 in FA.

Mr. D.S. Joshi, for the Respondent in IA and for the Appellant in
FA.

CORAM : ARUN R. PEDNEKER, J.

DATE : 26th JULY 2024

P.C:-

. Heard learned counsel for the parties.

2. The appeal is filed on the ground of negligence and

quantum.

3. Considering the submission of the parties and more particularly charge-sheet is filed against the insured vehicle and the quantum being computed on the basis that the deceased was a skilled worker and doing milk business and his income is computed at Rs.16,000/- per month. Prima facie the income computation is not exhorbited. In view of the same I deem it to appropriate to grant 65% withdrawal of the amount deposited before the Tribunal along with accrued interest thereon till date, subject to an undertaking to the satisfaction of the Presiding Officer of the MACP, Court.

4. The Application for withdrawal is disposed of.

5. List the matter on 6th September 2024.

(ARUN R. PEDNEKER, J.)