

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.8504 OF 2024
IN
FIRST APPEAL NO.322 OF 2024

The Oriental Insurance Co. Ltd., Applicant
Thr. Its Legal HUB TP-HUB

V/s.

Smt.Nasreen Sajid Khan & Ors, Respondents

NILAM
SANTOSH
KAMBLE
Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2024.05.08
17:59:49 +0530

Ms.Poonam Mital, for the Applicant.
Mr.T.R. Kale i/b Mr.S.G. Thorat, for Respondent Nos.1 to 3.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd MAY 2024

P.C:-

. Not on board. Taken on board.

2 By this Application, the Applicant seeking
modification of the order.

3. The learned counsel for the Applicant submit that,
the Tribunal has given Rs.40,000/- as consortium amount to the
one Claimant only. Two Claimants are remained to be get the
consortium amount of Rs.96,000/-.

4. The learned counsel for the Respondent submit that appropriate order be passed.

5. Considering the submissions of both learned counsel, the remaining two Claimant's are entitled for Rs.96,000/- i.e. Rs.48,000/- each. Hence, following corrections be made accordingly.

*“7. The learned counsel for the Respondents/Claimants submit that consortium amount was given only to widow and not to other Claimants. As per view of Hon'ble Apex Court in the case of **Magma General Insurance Co. Ltd. V/s. Nanu Ram, 2018 ACJ 2782 (SC)**, each claimant is entitled for Rs.48,000/- as consortium amount and Rs.18,000/- for funeral expenses and Rs.18,000/- for loss of estate. There are two Claimant's are remaining to get the amount of consortium = $48,000 \times 2 = 96,000$. The Claimant's are entitled for this amount.”*

6. Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)