

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

**INTERIM APPLICATION NO. 8406 OF 2024
IN
FIRST APPEAL NO. 634 OF 2023**

Savita Bhupesh Pujari & Ors.Applicants
Versus

IFFCO TOKIO General Insurance
Company Limited. & Anr.Respondents

Mr. Jitendra Gor, Advocate for the Applicants.
Ms. Ketki Gokhale i/b Mr. A. M. Gokhale, Advocate for the
Respondent No.1.
Mr. V. V. Parshurami, Advocate for the Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th MAY, 2024.

P.C. :

1. Heard learned counsel for the Applicants, learned counsel for the Respondent Nos.1 and learned counsel for the Respondent No.2.

2. Learned counsel for the Applicants submits that this Court has disposed of the Appeal filed by the Claimants for enhancement of compensation by order dated 9th February, 2024 but there are some

calculation error in chart mentioned in the order, it be corrected and enhancement amount is not mentioned in the operative part, it be mentioned.

3. Considering the submissions of all learned counsel for the Applicant chart be replaced with fresh calculations chart and operative part be read as under:

- “i. Appeal is partly allowed.
- ii. The Claimants are entitled for enhanced amount of Rs.9,98,980/- @ 7.5% interest per annum from the date of filing claim petition till realisation of the amount, out of this amount Rs.1,92,000/- as consortium amount. The Claimants are entitled @ 7.5% interest on this amount from 1st November, 2017, till realisation of the amount.
- iii. The Respondent/Insurance Company shall deposit the enhanced amount along with accrued interest thereon, within six weeks after receipt of the order.
- iv. The Claimants are permitted to withdraw the deposited amount along with accrued interest thereon.

- v. The insurance company is at liberty to to recover the amount fixed by the Tribunal i.e. Rs.21,08,980/- along with accrued interest thereon. The amount awarded by the Tribunal 11,10,000/- and enhanced amount of Rs.9,98,980/- along with accrued interest thereon from the Respondent No.2/Owner of the vehicle.
 - vi. The Claimant shall deposit deficit Court fees on enhanced amount, as per Rule.”
4. Correction be carried out accordingly and corrected judgment be uploaded on the official website of the Bombay High Court.
- . Interim Application stands disposed of.

(SHIVKUMAR DIGE, J.)