

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1289 OF 2019
[FOR DELAY CONDONATION]

IN

FIRST APPEAL (ST) NO.7106 OF 2019

Reliance General Insurance Company Limited
Through its Corporate Office

...Applicant/Appellant

vs.

Deepa Satish Dongre and Ors.

...Respondents

WITH

INTERIM APPLICATION NO.7664 OF 2024
[FOR WITHDRAWAL OF AMOUNT]

IN

FIRST APPEAL (ST) NO.7106 OF 2019

Deepa Satish Dongre and Anr.

...Applicants

In the matter between:-

Reliance General Insurance Company Limited
Through its Corporate Office

...Applicant/Appellant

vs.

Deepa Satish Dongre and Ors.

...Respondents

Mr.Rahul Mehta i/b. KMC Legal Venture:-	Advocate for Appellant Insurance Company.
Ms.Ayodhya Patki:-	Advocate for Respondent Nos.1 and 2.

CORAM : S. M. MODAK, J.

DATE : 30th AUGUST 2024

P. C. :-

1. Heard learned Advocate Shri.Mehta for the Appellant Insurance Company and learned Advocate for the Claimants.
2. Mr.Mehta has invited my attention to the grounds No.(k), (l), (m) and (n) in the memo of Appeal. He made following submissions:-
 - (a) The date of accident is 22nd October 2014 and hence, the Claims Tribunal – Mumbai ought to have considered the salary for that month because the month has not ended.
 - (b) At the most, average income for July, August and September-2014 ought to have been considered.
 - (c) He is having certain submissions on the point of negligence.
3. Learned Advocate for the Claimants submitted that the salary-slips for the month of July, August, September and October – 2014 were filed before the Tribunal. Record needs to be seen.
4. The issue is, about the gross total income and net income and about the nature of deductions. So, let us call Record and Proceeding from the Tribunal.
5. Considering a short issue involved, Appeal can be taken up for

final hearing at an admission stage.

6. Stand over to **27th September 2024**. To be listed “**High on Board**”.

[S. M. MODAK, J.]