

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

FIRST APPEAL NO. 1878 OF 2021

Suvarnamala W/o. Govind Bombade and Ors.

**... Appellants**  
(Orig. Claimants)

Versus

Tanaji S/o. Waghambhar Mitkari and Anr.

**... Respondents.**  
(Orig. Defendants)

.....  
Mr. Mohit Deshmukh, Advocate for Respondent No.2.

.....  
**CORAM : ABHAY S. WAGHWASE, J.**

**DATED : 22 DECEMBER 2025**

**PER COURT :**

1. Not on board. Upon mentioning taken on board.
2. Present praecipe is moved for speaking to minutes of the judgment and order dated 26.08.2025 passed by this Court in First Appeal No.1878 of 2021.
3. Learned counsel for respondent no.2 insurance company submits that, respondent no.2 insurance company was specifically directed to satisfy the award and thereafter recover the same from the respondent no.1. He further submitted that, this Hon'ble Court has also clearly observed that present appeal is confined only to the aspect of quantum. However in operative part of the judgment in **clause (iii)** insurance company though directed to pay the enhanced

compensation amount, however the words **“and thereafter recover the same from respondent no.1”** have remained to be mentioned.

4. Having considered the submissions advanced by the learned counsel for respondent No. 2-insurance company, it was observed that, this Court had clearly confined the scope of the present appeal only to the aspect of quantum.

In view of above, in the judgment and order dated 26.08.2025, in operative part, condition No. (iii) is modified as under :

**“(iii) Respondent no.2 - insurance company to pay enhanced compensation of Rs.19,08,310/- to claimants within 12 weeks from today along with interest @ 9% per annum from the date of registration of claim petition till its realization and thereafter recover the same from respondent no.1.”**

5. Corrected order be uploaded accordingly.

6. Accordingly, motion is disposed off.

**(ABHAY S. WAGHWASE, J.)**