

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

FIRST APPEAL NO.1188 OF 2015

The New India Assurance Co. Ltd.
Jeevantara, LIC Building, Satara.
Versus

.....Appellant

1 Master Mayur Sunil Sasane
Age-14 Years, Occ: Education

2 Sunil Hariba Sasane
Age-36 Years, Occ: Labour

Respondent No.1 is minor thr. His Legal Guardian
father Respondent No.2

R/o Bhimnagar, Taluka-Koregaon, District-Satara

3 Chandrakant Sukhdeo More
Age-Adult, Occ: Business

R/at Kacharewadi, Taluka-Khatau, District-Satara Respondents

Mr.Ketan V. Joshi a/w Mr.Karan Singh Bhadoria, Advocate for the
Appellant-Insurance Company.

Mr.Vaibhav R. Gaikwad, for Respondent Nos.1 and 2-Claimants.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th JULY, 2025.

Judgment. :

1. This appeal is preferred by the appellant-Insurance Company
against the judgment and order passed by the Motor Accident Claims
Tribunal, Satara (for short "the Tribunal").

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2. It is contention of learned counsel for the appellant that at the time of the accident, claimant No.1 was 14 year old but the Tribunal has awarded compensation of more than Rs.3,00,000/-, which is on higher side. Hence, requested to allow the appeal.

3. It is contention of learned counsel for the claimants that claimant No.1 had suffered 17% permanent physical disability, and he has to suffer it for life time. The Tribunal has passed well reasoned judgment and order, no interference is required in it and requested to dismiss the appeal.

4. I have heard both learned counsel, perused the judgment and order passed by the Tribunal.

5. At the time of accident, claimant No.1 was 14 year old. As per the view of Hon'ble Apex Court in the case of **Master Mallikarjun versus Divisional Manager, National Insurance Company Limited and anr. Reported in 2013 AIR SCW 6452**, if the disability is above 10% and upto 30% to the whole body, the claimant is entitled for compensation of Rs.3,00,000/-. In my view, the order passed by the Tribunal is legal and valid, no interference is required in it. The appeal is devoid of merit and I pass following order :

ORDER

1. The appeal is dismissed. No order as to cost.
2. The claimants are permitted to withdraw the deposited amount along with accrued interest thereon.

3. The statutory amount be transmitted to the Tribunal along with accrued interest thereon. The parties are at liberty to withdraw it as per Rule.
4. Record and proceedings be sent to the Tribunal.
6. Pending applications, if any, stand disposed of.

(SHIVKUMAR DIGE, J.)