

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

FIRST APPEAL NO. 701 OF 2024

- | | | |
|--------------------------------|---|------------------------|
| 1. Disha Dinesh Gondhali |] | |
| Aged about 49 years |] | |
| 2. Vaishnavi Dinesh Gondhali |] | |
| Aged about 16 years |] | |
| 3. Shashwat Dinesh Gondhali |] | |
| Aged about 9 years |] | |
| 4. Vanita Dattaram Gondhali |] | |
| Aged about 69 years |] | |
| All R/o: At & Post – Khandale, |] | |
| Tal. Alibag, Dist. Raigad |] | |
| | | Appellants |

Versus

- | | | |
|---|---|-------------------------|
| 1. Shri Premsing Saini |] | |
| R/o.Gala No.42, Transport Nagar, Near Petrol |] | |
| Pump, Kalamboli, Navi Mumbai- 400 601. |] | |
| 2. National Insurance Co. Ltd Thane- Kalwa |] | |
| Business Center- 4, Om Sai Shradha |] | |
| Co.Op.Hsg.Soc. Kalwa Naka, Kalwa, Dist. |] | |
| Thane- 400 605. |] | |
| 3. Chetan Ramchandra Chuneekar, |] | |
| R/o. At& Post – Borli (Mandala) Tal. Murud, |] | |
| Dist. Raigad. |] | |
| 4. Reliance General Insurance Co. Ltd |] | |
| Chintamani Avenue, 4 th Floor, Virvani |] | |
| Industrial Estate, Western Express Highway, |] | |
| Goregaon, Mumbai- 400 063. |] | |
| | | Respondents |

Mr. T. J. Mendon, Advocate for the Appellant.

Mr. Rahul Mehta i/b KMC Legal Venture, Advocate for Respondent Nos.2.

Ms. Shalini Shankar, Advocate for Respondent No.4.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th AUGUST, 2025.

JUDGMENT. :

1. The issue involved in this appeal is the awarded interest.
2. It is contention of learned counsel for the Appellants – Claimants that, the Tribunal has allowed the claim petition, but interest on compensation amount is awarded from the date of passing judgment and order, it should be considered from the date of filing claim petition. Hence, requested to allow the appeal.
3. It is contention of learned counsel for the Respondent Nos.2 & 4 – Insurance Company that the Tribunal has passed well-reasoned order, no interference is required in it, and requested to dismiss the appeal.
4. I have heard both learned counsel.
5. While awarding interest on compensation amount, the Tribunal has awarded interest on compensation amount from the date of passing judgment and order. In my view, it is settled principle

of law that, the interest should be considered from the date of filing of claim petition. Hence, I pass following order:

ORDER

- i. The Appeal is allowed.
 - ii. The Appellants – Claimants are entitled for interest on compensation amount awarded by the Tribunal from the date of filing claim petition, till realization of the amount.
 - iii. The Respondent Nos.2 &4 – Insurance Company shall deposit the compensation amount each 50% along with accrued interest thereon, within eight weeks after the receipt of this order.
 - iv. The Claimants are permitted to withdraw the deposited amount along with accrued interest thereon.
 - v. Record and Proceedings be sent back to the Tribunal
6. All pending applications, if any, also stand disposed of.

(SHIVKUMAR DIGE, J.)