

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

FIRST APPEAL NO.701 OF 2024

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Disha Dinesh Gondhali and Ors.

...Appellants

V/s.

Premising Saini and Ors.

...Respondents

Mr.T.J.Mendon:-	Advocate for Appellants.
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CORAM : S. M. MODAK, J.

DATE : 1st OCTOBER 2025

P.C. :-

1. I have heard learned Advocate Shri.Mendon for the Claimants.
2. The parties in this Application are the same parties in the Appeal and before the Motor Accident Claims Tribunal – Raigad-Alibag (“**MACT – Raigad-Alibag**”). So to say, the status is the same. The Claim Petition was allowed and there was a direction to the Respondent No.1–Premising Saini and the Respondent No.2–National Insurance Company to pay compensation jointly and severally. Though the interest was allowed, it was from the date of the order and not from the date of filing the Claim Petition. Secondly, the Claim Petition was already dismissed against the Respondent Nos.3 and 4.

3. As the interest is not awarded from the date of Petition, the Appellants preferred First Appeal No.701 of 2024. It was allowed on 5th August 2025 and interest was awarded from the date of the Petition. The interest has to be saddled on Respondent Nos.1 and 2. However it was granted against the Respondent No.2–National Insurance Company and the Respondent No.4–Reliance General Insurance Company.

4. Whereas while passing the order on 5th August 2025, inadvertently the following mistakes have cropped up:-

- (a) In direction No.(iii), instead of **Respondent Nos.1 and 2**, it is typed as '*Respondent Nos.2&4*'.
- (b) The Respondent Nos.2 and 4 were directed to deposit compensation amount each 50%.

5. The modification which is sought is as per the original Award. It can certainly be done. Hence the following order:-

ORDER

(A) The direction No.(iii) of the order dated 5th August 2025 be modified as follows:-

- (a) Instead of '*Respondent Nos.2 & 4*', it be corrected as **Respondent Nos.1 and 2**.
- (b) Instead of '*Respondent Nos.2 & 4 paying compensation 50% each*', it should be modified as **joint and several liability**.

- (c) In nutshell, direction No.(iii) is to be read as follows:-
- (i) The Respondent Nos.1 and 2 are directed to pay the amount of compensation as ordered by the Tribunal jointly and severally, along with the interest originally awarded from the date of the Claim Petition.

[S. M. MODAK, J.]