

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

**INTERIM APPLICATION NO.7774 OF 2025
IN
FIRST APPEAL NO. 974 OF 2023**

Ku. Neha Ashok Dhokte And Ors. ...Applicants
(Original Claimants)

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd.
Through Its Divisional Officer, Nashik ...Appellant
V/s.
Ku. Neha Ashok Dhokte And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.15340 OF 2024
IN
FIRST APPEAL NO. 974 OF 2023**

Smt. Lalita Ashok Dhoke ...Applicant
(Orig. Respondent No.3)

IN THE MATTER BETWEEN

Reliance General Insurance Co. Ltd.
Through Its Divisional Officer, Nashik ...Appellant
V/s.
Ku. Neha Ashok Dhokte And Ors. ...Respondents

Mr. Avesh A. Ghadge i/by Mr. Akshay Kulkani, for the Appellant in FA/974/2023.
Mr. Yogesh Pande a/w Adv. Rupa Singh, for the Respondent Nos.1 to 4 in IA/16145/2023, for Appellants in FA(ST)/23299/2024 and for Applicants in IA/7774/2025, IA/3351/2025.
Mr. Prasad P. Kulkarni, for the Respondent No.6 in FA/974/2023, for the Applicant in IA/15340/2024 and for Respondent No.3 in FA(ST)/23299/2024.

CORAM : SHYAM C. CHANDAK, J.

DATED : 02nd MAY, 2025

P.C. :-

. The aforesaid Applications filed by the Original Claimants and Original Respondent No.3 in Motor Accident Claim Petition No.26 of 2016 seeking withdrawal of the compensation amount.

2) Heard Mr. Pande, learned Advocate for the Applicants in Interim Application No.7774 of 2025, Mr. Kulkarni, learned Advocate for the Applicant in Interim Application No.15340 of 2024 and Mr. Ghadge, learned Advocate for the Appellant.

3) The Applicants in Interim Application No.7774 of 2025 are children of the first wife of the deceased whereas the Applicant in Interim Application No.15340 of 2024 is second wife of the said deceased.

4) By the impugned Judgment and Order dated 3rd October 2022, in said Motor Accident Claim Petition No.26 of 2016, passed by the Motor Accident Claims Tribunal, Nashik, the Tribunal held the Appellant and Respondent No.6 in the aforesaid Appeal jointly and severally liable to pay a sum of Rs.49,27,780/-to the Claimants and Respondent No.3 within one month from the date of award, failing which the amount shall carry interest at 7.5% per annum. Further, the Tribunal directed that upon depositing the amount of the award, it be disbursed amongst the claimants and Respondent No.3 as follows :-

Sr. No.	Name of the Party	Amount
i	Neha Ashok Dhokte (Claimant No.1)	Rs.14,92,593/-
ii	Gauri Ganesh Sukale (Claimant No.2)	Rs.1,50,000/-

iii	Shilpa Dnyaneshwar Chumbalkar (Claimant No.3)	Rs.1,50,000/-
iv	Deepa Anup Malve (Claimant No.4)	Rs.1,50,000/-
v	Lalita Ashok Dhokte (Respondent No.3)	Rs.29,85,187/-

5) The Appellant/Insurance Company filed the aforesaid First Appeal No.974 of 2023 on the grounds of negligence, quantum and apportionment. The Applicants in Interim Application No.7774 of 2025 also filed First Appeal (ST) No.23299 of 2024 on the ground of apportionment and not granting the interest from the date of filing/registration of the claim.

6) During the pendency of the Appeal, the Applicants in Interim Application No.7774 of 2025 and the Applicant in Interim Application No.15340 of 2024 entered into a settlement insofar as the apportionment by the Tribunal is concerned. Further, the Applicants filed the Settlement Terms marked at Exhibit "X" as tendered on dated 7th April, 2025. As per the settlement, the apportionment has been substituted as under :-

Sr. No.	Name of the Party	Amount
i	Neha Ashok Dhokte (Claimant No.1)	Rs.12,89,889/-
ii	Gauri Ganesh Sukale (Claimant No.2)	Rs.4,89,889/-
iii	Shilpa Dnyaneshwar Chumbalkar (Claimant No.3)	Rs.4,89,889/-
iv	Deepa Anup Malve (Claimant No.4)	Rs.4,89,889/- (56%)
v	Lalita Ashok Dhokte (Respondent No.3)	Rs.21,68,234/- (44%)

7) The deceased died in the accident occurred on 8th November, 2015. The claim was filed on 19th December, 2015. Since then the Applicants have been waiting for the amount of award.

8) In view thereof and considering the other reasons stated in the Applications, the Applicants are permitted to withdraw 50% of the amount of their share as stated/agreed in the Settlement Terms.

9) Applications stand disposed of in the aforesaid terms.

PREETI
HEERO
JAYANI

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by PREETI
HEERO JAYANI
Date: 2025.05.13
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(SHYAM C. CHANDAK, J.)