

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

Interim Application No.11501 of 2025

In

First Appeal No.186 of 2025

Mast. Akash Somnath Kamble and others ... Applicants

In the matter between

Magma HDI General Insurance Co. Ltd. ... Appellants

v/s.

Mast. Akash Somnath Kamble and others ... Respondents

Mr. Raufa Shaikh i/b. Yuvraj Narvankar	Advocate for the Applicant in IA and Respondent in FA.
Mr. Pandit Kasar	Advocate for Respondent in IA and Appellant in FA.

CORAM : S.M. MODAK, J

DATE : 15th September 2025.

P.C. :

Heard learned Advocate for the claimants and learned Advocate for the Insurance Company. The first appeal and pending interim application is taken on Board.

2. The M.A.C.T. Tribunal, Pune as per the Award dated 29th August 2024 has awarded compensation of Rs.4,94,633/- to be paid to the minor victim through his guardian-father. One Bhagwan

Chorghe is the owner of offending truck whereas victim-Akash was a pillion rider on a two wheeler. The offending truck gave a dash to the two wheeler and that is why Master Akash sustained injuries. According to Mr. Kasar, the impugned Award is unreasoned award and there is no justification given by the learned Member for granting compensation under different heads.

Whereas according to learned Advocate for the claimants, the father is badly in need of money. Victim was admitted in hospital on 22nd March 2022. He submitted that the Driver of the offending truck also gave dash to other vehicles and there are appeals arising out of the Award of the Tribunal and they are referred to mediation through this Court. Even this matter can also be referred to mediation but it is true that the claimants need to be given some amount. The submission made by Mr. Kasar can be considered, if mediation will fail. It is submitted the entire awarded amount alongwith interest is deposited as directed in the order dated 20th January 2025.

3. In view of that following order is passed:

ORDER

- 1) The claimant-Somnath Kamble is permitted to withdraw Rs.2 lacs.
- 2) By consent the matter may be referred to mediation and mediation be conducted alongwith connected appeals bearing

First Appeal No.1554/2025.

3) Interim Application is disposed of.

4. The first appeal be listed on **15th October 2025** for further 'Directions'.

(S.M. MODAK, J.)