

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

**INTERIM APPLICATION NO.12365 OF 2025
IN
FIRST APPEAL (ST) NO.4200 OF 2025**

Kumari Shilpa Vasant Thakkar & Anr. Applicant

V/s.

M/s.The New India Assurance Co. Ltd. Respondent

Mr.Pritesh Bohade, for the Applicant.

Mr.Milind More, for the Respondent.

CORAM : R.M. JOSHI, J.

DATE : 21st NOVEMBER 2025

P.C:-

. This Application is filed by the Original Claimant for withdrawal of the amount deposited by the Insurer in this Court pursuant to the order dated 9th April 2025 passed in Application No.7199 of 2025.

2. The learned counsel for the Claimants submits that the challenged to the impugned order on the ground of the quantum of the compensation. It is his submission that, in any case, even if, for the sake of the argument the contention of the

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2025.11.24
10:56:32 +0530

Appellant/Insurer is accepted, the Claimant would recently be entitled to received compensation on the basis of the notional income at least Rs.5,000/- per month.

3. The learned counsel for the Appellant-Insurer opposed the Application.

4. The Appeal is on quantum, even if it is accepted for the sake of the argument the Claimant is failed to prove the income, the notional income would certainly not being Rs.5,000/- per month. In the result, it is fit case to allow the Claimant at least 50% of the amount. Hence, ordered.

ORDER

(i) The Respondent/Original Claimant is permitted to withdraw 50% amount on furnishing usual undertaking.

(R.M. JOSHI, J.)