IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 626 OF 2025
IN
FIRST APPEAL NO. 315 OF 2020

Kiran wd/o Bhaskar Shinganjude and Ors.
Vs.
Saleem Khan s/o Chhajua Khan and anr.

Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. V.A. Patait, Advocate for applicant.
Mr. A.W. Paunikar, Advocate for respondent No.2.

CORAM : ROHIT W. JOSHI, J.

DATE : 21.02.2025.

The respondent No.2 has moved the present application pointing out that the learned Tribunal while deciding the claim petition has held that the respondent No.2 – Insurance Company will be liable to pay the amount of compensation and shall be entitled to recover the said amount from the respondent No.1 – owner without filing separate proceedings, as if the dispute between them has been decided. Inadvertently in the operative order of the present appeal, the said clause is not mentioned. The above direction regarding pay and recover, is not challenged by respondent No.1.

2. In view of the aforesaid, after Clause (5) in the operative order of the judgment and order dated 12.02.2025, add the following:

> *"3A. The respondent No.2 shall first pay the compensation amount and then recover the same from respondent No.1 without filing separate proceeding, as if dispute between them has been decided"*

3. The parties point out a typographical error at page 22 in paragraph 31 of the judgment. Delete the line ***"even in the matter of UP SRTC Vs. Trilok Chandra reported in 1993 (4) SCC 362"*** from page 22 in paragraph 31. Corrected copy be uploaded accordingly.

(ROHIT W. JOSHI, J.)

Prity