



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

CIVIL APPLICATION (CAF) NO. 3737 OF 2024

IN

FIRST APPEAL NO. 161 OF 2025

The Divisional Manager, National Insurance Co. Ltd., Nagpur

Vs.

Ashok S/o Arjun Ganvir and Ors.

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

Court's or Judge's Orders.

Mr. Vedant Akhade, Advocate h/f Mr. Amit Kukday,  
Advocate for applicant.

Mr. K.P. Mirache, Advocate for respondent Nos.1 & 2.

CORAM : ROHIT W. JOSHI, J.

DATE : 21.02.2025.

The respondent Nos.1 and 2, who are original claim petitioners are moved the present application seeking withdrawal of amount of compensation deposited by the appellant with this Court in compliance of order granting stay to the execution of the impugned judgment and award.

2. Having perused the judgment delivered by the learned Tribunal, it appears that the learned Tribunal has computed the amount of compensation on the basis of notional income of the deceased which is taken at Rs.7,000/- per month. The

amount, *prima facie*, appears to be properly computed. The applicants, who are original claim petitioners are parents of the deceased. In such circumstances, in my considered opinion, it will be appropriate to permit the appellants, who are original claim petitioners to withdraw 50% of the amount of compensation with accrued interest on furnishing usual undertaking.

3. Two weeks time is granted to provide the correct address of respondent No.3.

4. The appellant is permitted to amend the cause title in order to incorporate correct address of respondent No.3.

5. On correct address be provided, issue fresh notice to respondent No.3, returnable in **six weeks**.

6. In addition to regular mode of service, the appellant is permitted to serve the respondent No.3 by all other permissible modes.

(ROHIT W. JOSHI, J.)