



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

CIVIL APPLICATION (CAF) NO. 306 OF 2025

IN

FIRST APPEAL NO. 725 OF 2024

(Reliance General Insurance Company Ltd. V/s Smt. Santoshi Ashutosh Khatri & Ors.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. A. M. Kukday, Advocate for Appellant.
Mr. Asghar Hussain, Advocate for Respondent Nos.1
to 4.

CORAM : ROHIT W. JOSHI, J.
DATE : FEBRUARY 05, 2025.

. The present Application is moved for withdrawal of amount by the Respondent Nos.1 to 4, who are the Original Claim Petitioners.

2. The principal grievance in the Appeal revolves around the computation of quantum of compensation. The deceased was a businessman and his annual income, as per the Income Tax Return for the year 2019-2020 (Exhibit-53), is Rs.11,04,209/- and after deduction of income tax, the business income is computed at Rs. 9,96,949/-. The computation, *prima facie*, appears to be correct. The multiplier of 14 is applied, since the deceased was 45 years old at the time of his demise, which is also correct.

3. In view of the aforesaid, the Respondent Nos.1 to 4 are permitted to withdraw 75% of the amount deposited by the Appellant with this Court along with accrued interest, subject to

furnishing usual undertaking. Rs.10,00,000/- be disbursed without interest to the Respondent No.4 – Smt. Rajkumari Babubhai Khatri, who is mother of the deceased and remaining amount be disbursed in equal proportion to the Respondent Nos.1 to 3 with accrued interest.

4. Civil Application stands disposed of accordingly.

FIRST APPEAL NO. 725 OF 2024

. Notice issued to the Respondent No.5 is not served. The Appellant is permitted to serve the Respondent No.5 by all permissible modes, in addition to regular mode of service.

(ROHIT W. JOSHI, J.)