



901.caf.1070.2025 in fa.101.2010.odt

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

CIVIL APPLICATION (CAF) NO. 1070 OF 2025
WITH
CIVIL APPLICATION (CAF) NO. 1279 OF 2025
WITH
CIVIL APPLICATION (CAO) (ST) NO. 8483 OF 2025
WITH
MISC. CIVIL APPLICATION (REVIEW) (ST) NO. 8482 OF 2025
IN
FIRST APPEAL NO. 101 OF 2010 (DECIDED)
(Smt. Renuka Totaram Bakatkar & Ors. V/s Mumtajimkhan Hashimkhan & Anr.)

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

Court's or Judge's orders

Mr. N. S. Lande, Advocate I/by Mr. R. M. Bhangde,
Advocate for Appellants.
Mr. S. O. Ahmed, Advocate for Respondent No.1.
Mr. M. R. Joharapurkar, Advocate for Respondent
No.2/Applicant.

CORAM : ROHIT W. JOSHI, J.
DATE : APRIL 17, 2025.

CIVIL APPLICATION (CAF) NO. 1070 OF 2025

. This Application is filed for correction in the
Judgment dated 11/2/2025 passed by this Court in First Appeal
No. 101/2010.

2. There is a typographical error in clause (2) of the
operative order of the Judgment dated 11/2/2025, in as much as,
the amount of compensation payable is mentioned as
'Rs.23,87,940/-' as against 'Rs.22,87,940/-', which is actually
payable in terms of the Judgment.

3. In view of above, the word 'Rs.23,87,940/-' in clause (2) of the operative order be substituted with the word 'Rs.22,87,940/-'. Accordingly, appropriate correction also needs to be done in clause 5(i) of the operative order by substituting the word 'Rs.15,00,000/-' in place of the word 'Rs.16,00,000/-'.
4. Necessary corrections be carried out immediately and corrected order be uploaded on the official website.
5. Civil Application is disposed of accordingly.

CIVIL APPLICATION (CAF) NO. 1279 OF 2025

- . This Application is filed seeking permission to deposit the amount of compensation in this Court.
2. The Respondent No.2/insurance Company is permitted to deposit the amount of compensation within a period of one week from today. Office to accept the same.
3. Civil Application is disposed of accordingly.
4. The learned Counsel for Appellants states that the amount of compensation, as calculated by the Respondent No.2/Insurance Company, is incorrect.
5. Parties are directed to file their calculations and submit the same before the learned Registrar (Judicial), who shall compute the amount of compensation in terms of the Judgment dated 11/2/2025 passed by this Court after affording opportunity of hearing to both the sides.

CIVIL APPLICATION (CAO) (ST) NO. 8483 OF 2025

. This Application is filed seeking condonation of delay in filing Application for review of the Judgment dated 11/2/2025 passed by this Court in First Appeal No. 101/2010.

2. For the reasons mentioned in the Civil Application, delay caused in filing Application for review of Judgment dated 11/2/2025 passed by this Court in First Appeal No.101/2010 is hereby condoned.

3. Civil Application is disposed of accordingly.

MISC. CIVIL APPLICATION (REVIEW) (ST) NO. 8482 OF 2025

. This Application is filed seeking review of the Judgment dated 11/2/2025 passed by this Court in First Appeal No. 101/2010.

2. The original Appellants/Claim Petitioners contend that the compensation against conventional head is not granted appropriately, in as much as, further enhancement on the amount of compensation payable towards consortium, funeral expenses and loss of estate is not enhanced in accordance with the Judgment of the Hon'ble Apex Court in the matter of ***National Insurance Company Ltd. V/s Pranay Sethi and Others, (2017) 16 Supreme Court Cases 680.***

3. It is contended that the amount of compensation is required to be enhanced after every cycle of three years. The learned Counsel submits that Judgment is delivered on

11/2/2025, and therefore, further enhancement ought to have been awarded.

4. This contention is liable to be rejected, in view of the fact that deceased has expired on 2/2/2005 and compensation will have to be computed with respect to the date of demise of deceased.

5. Misc. Civil Application is, therefore, rejected.

(ROHIT W. JOSHI, J.)