IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 75 OF 2026
WITH
INTERIM APPLICATION NO. 289 OF 2020
IN
FIRST APPEAL NO. 75 OF 2026

Future Generali India Insurance Co.Ltd. ...Appellant

Versus

Smt. Lata Kishor Mistry & Ors. ...Respondents

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Mr. Rajesh Knaojia i/b. Res Juris for Appellant
Ms. Kavita Anchan i/b. Mr. Vishal Dhende or the Respondent.

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CORAM : R.M. JOSHI, J.

DATE : 27th FEBRUARY, 2026

P.C. :

1. Learned Counsel for the Appellant submits that the Tribunal has committed serious error in accepting the Income Tax Returns filed, showing income of the deceased after his death. It is his submission that except for these two income tax returns, there is nothing on record to indicate that during lifetime of the deceased any income tax returns were filed. It is his submission that in such circumstances, the income tax returns in absence of any other evidence to show income of the deceased cannot be accepted.

2. He, further submitted that the Tribunal has committed error in granting future prospects to the extent of 25% which ought to have been 10% in view of the fact that deceased was over age of 50 years at the time of his death. On these amongst other submissions, he seeks modification of the impugned judgment and award.

3. Learned Counsel for the Respondents seeks time to respond. At her request, stand over to **13th March 2026**.

(R.M. JOSHI, J.)