

GAHC010039182024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/567/2024

ANARKALI DEVI AND ANR
W/O LATE HEM NARAYAN SINGH,
RESIDENT OF SEPON BAZAR, PS MORANHAT, PO SEPON, 785673, DIST.
CHARAIDEO, ASSAM

2: SRI RANJAN KUMAR SINGH
S/O LATE HEM NARAYAN SINGH

RESIDENT OF SEPON BAZAR
PS MORANHAT
PO SEPON
785673
DIST. CHARAIDEO
ASSA

VERSUS

NATIONAL INSURANCE COMPANY LTD. AND 2 ORS
HAVING ITS REGISTERED OFFICE AT 3, MIDDLETON STREET, KOLKATA
AND ONE OF THE REGIONAL OFFICES KNOWN AS GUWAHATI REGIONAL
OFFICE AT GS ROAD, BHANGAGARH, GUWAHATI 05

2:SRI RAJIB BANIA
S/O LATE SUSAN BANIA
RESIDENT OF SEPON T.E BETBARI
PS MORAN
PO SEPON
785640
DIST. DIBRUGARH
ASSAM

3:UTPAL TANTI
S/O SRI PAULUSH TANTI

RESIDENT OF SEPON BETBARI 15 NO. LINE
PS MORAN
PO SEPON
785640
DIST. DIBRUGARH
ASSA

Advocate for the Petitioner : MR. R S MISHRA

Advocate for the Respondent : MR. R S MISHRA

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 01-03-2024

Heard Mr. A.K Gupta, learned counsel for the applicant. I have also heard Ms. L. Sarma, learned counsel for the respondent No. 1.

This application has been filed by the applicant for allowing the applicant/respondent to withdraw the amount deposited by the appellant.

It is submitted by the learned counsel for the applicant that by an order dated 07.08.2023 passed in I.A.(C) No. 1874/2023 in MAC Appeal No. 255/2023, the respondent/appellant was directed to deposit 50% of the awarded amount before the Registry of this Court and in compliance of the said direction, the respondent/appellant has deposited 50% of the awarded amount before this Registry on 17.08.2023.

By this application this application, the applicant seeks a direction to allow her to withdraw the said deposited amount. The learned counsel for the respondent has no objection to the release of the said deposited amount, however, with a condition to furnish an adequate bond.

In view of the above, this application is allowed.

The applicant is allowed to withdraw the amount deposited by the appellant/respondent. The Registry is directed to release the amount deposited by the appellant/respondent to the applicant/claimant on proper verification and on being identified by the learned counsel for the applicant on furnishing a bond.

With the observation made above, the I.A. stands disposed of.

JUDGE

Comparing Assistant