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

Case No. : I.A.(Civil)/1750/2024

KANMONI KALITA AND 5 ORS.
W/O LATE RANJU KALITA,
VILL.- GANESHPARA, CHAMPAK NAGAR, P.S.- FATASHIL AMBARI, DIST.-
KAMRUP (M), ASSAM.

2: DOLY KALITA
D/O LATE RANJU KALITA

VILL.- GANESHPARA
CHAMPAK NAGAR
P.S.- FATASHIL AMBARI
DIST.- KAMRUP (M)
ASSAM.

3: DEBASHISH KALITA
S/O LATE RANJU KALITA

VILL.- GANESHPARA
CHAMPAK NAGAR
P.S.- FATASHIL AMBARI
DIST.- KAMRUP (M)
ASSAM.
(BEING MINOR
REP. BY RESPONDENT NO. 1)

VERSUS

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, REP. BY ITS
REGIONAL MANAGER, ULUBARI, GUWAHATI- 7, DIST.- KAMRUP (M),
ASSAM.

Advocate for the Petitioner : MR D MONDAL,

Advocate for the Respondent : MR. S K GOSWAMI,

**BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG**

ORDER

Date : 04-12-2024

Heard Mr. D. Mondal, learned counsel for the applicants.

In compliance of the order dated 10.4.2024, the appellant has deposited an amount of Rs.20,00,000 (rupees twenty lakhs) before the Registry of this Court.

By filing this application, the applicants/claimants prays for release of the amount deposited by the Insurance Company.

Mr. R. Sharma, learned counsel for the opposite party, Insurance Company submits that out of Rs.20,00,000/-(twenty lakhs) deposited by the Insurance Company, Rs.16,00,000/-(sixteen lakhs) may be allowed to be withdrawn and a sum of Rs.4,00,000/-(four lakhs) may be kept in a fixed deposit in the name of Registrar General. The above proposal has been agreed to by the learned counsel for the applicants/claimants.

In view of the above, Registry is directed to release the amount of Rs.16,00,000/-(sixteen lakhs) only to the applicants/claimant No.1 out of Rs.20,00,000(twenty lakhs) deposited amount, on proper verification and identified by their counsel and on furnishing indemnity bond of like amount. The remaining amount of Rs.4,00,000(four lakhs) shall be deposited in the fixed deposit account in the name of the Registrar General).

With the above, the I.A. stands allowed and disposed of.

JUDGE

Comparing Assistant