

GAHC010133732024



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

Case No. : I.A.(Civil)/2078/2024

MRS CHANDANA BASUMATARY and 3 ORS
W/O LATE SWAPAN BASUMATARY, R/O VILL. JONAIMARI, P.O. AND P.S
DUDHNOI, DISTRICT GOALPARA, ASSAM

2: JINKU BASUMATARY
S/O LATE SWAPAN BASUMATARY
R/O VILL. JONAIMARI
P.O. AND P.S DUDHNOI
DISTRICT GOALPARA
ASSAM

3: RISHMA BASUMATARY
D/O LATE SWAPAN BASUMATARY
R/O VILL. JONAIMARI
P.O. AND P.S DUDHNOI
DISTRICT GOALPARA
ASSAM

4: ANUPAMA BASUMATARY
D/O LATE SWAPAN BASUMATARY
R/O VILL. JONAIMARI
P.O. AND P.S DUDHNOI
DISTRICT GOALPARA
ASSA

VERSUS

THE ORIENTAL INSURANCE CO. LTD F
REGIONAL OFFICE, G.S. ROAD, ULUBARI, P.O. GUWAHATI-7, DISTRICT
KAMRUP(M), ASSAM

Advocate for the Petitioner : MR. A R AGARWALA,

Advocate for the Respondent : ,

BEFORE
HON'BLE MR. JUSTICE ROBIN PHUKAN
ORDER

05.08.2024

Heard Mr. A.R. Agarwala, learned counsel for the applicants and also heard Ms. L. Sharma, learned counsel appearing for the sole respondent.

This interlocutory application is preferred by the applicants for allowing them to withdraw a sum of Rs.5,65,000/- deposited by the respondent pursuant to the order of this Court dated 10.07.2017 passed in I.A.(C) No.1619/2017, corresponding to MAC Appeal No.221/2017.

Mr. Agarwala, learned counsel for the applicants submits that the applicant No.1 may be allowed to withdraw the aforesaid amount without any rider.

However, Ms. Sharma, learned counsel for the sole respondent submits that on execution of a bond, the applicants may be allowed to withdraw the aforesaid amount.

Having considered the submission of learned Advocates of both the parties, it is provided that on executing a bond of equal amount, the applicant No.1 may be allowed to withdraw the amount deposited with the Registry of this Court.

In view of above, the I.A. stands disposed of.

Sd/- Robin Phukan
JUDGE

Comparing Assistant