

GAHC010227392023



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

Case No. : I.A.(Civil)/3039/2023

MISS MANISHA THAPA,
D/O- CHATU SINGH THAPA, R/O- VILL.- MAHANADI, P.S. KURSEONG,
DIST.- DARJELLING (WEST BENGAL).

VERSUS

NATIONAL INSURANCE CO. LTD
HAVING ITS REGISTERED OFFICE AT MIDDLETON STREET, KOLKATA AND
ONE OF THE REGIONAL OFFICES KNOWN AS GUWAHATI REGIONAL
OFFICE, G.S. ROAD, BHANGAGARH, GUWAHATI-5. REPRESENTED BY ITS
REGIONAL MANAGER.

Advocate for the Petitioner : MR D MONDAL

Advocate for the Respondent : MR. R K BHATRA

BEFORE
HONOURABLE MR. JUSTICE BUDI HABUNG

ORDER

Date : 11-03-2024

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

I have also heard Ms. P. Huzuri, learned counsel for the opposite party/appellant.

This application has been filed by the applicant/claimant seeking a direction to the Registry of this Court to release Rs.1,09,560/-(Rupees one Lakhs, nine thousand five hundred and sixty) only out of the awarded amount, which has been deposited by the appellant in compliance of the order dated 02.08.2023, passed in I.A. (C) 1913/2023 arising out of MAC Case No. 262/2023.

It is submitted that vide an order dated 02.08.2023, passed in I.A. (C) 1913/2023 this Court while staying the operation of the impugned judgment and award dated 28.09.2018 passed by the learned Member MACT, Kamrup(M) at Guwahati, in MAC Case No. 2196/2013 had directed the appellant to deposit the aforementioned amount before the Registry of this Court. In compliance of the said direction, the appellant had deposited a sum of Rs.1,09,560/- before the Registry of this Court on 30.08.2023. And since, there is no order for release of the said deposited amount to the applicant/claimant, the applicant by this application is seeking a direction for release of the said amount.

The learned counsel for the opposite party/appellant has no objection if the said deposited amount is released to the applicant/claimant.

In view of the above, the prayer for release of the amount of Rs.1,09,560/- (Rupees one Lakhs, nine thousand five hundred and sixty) to the claimant/applicant is allowed.

The Registry is directed to release the said amount of Rs.1,09,560/-(Rupees one Lakhs, nine thousand five hundred and sixty) to the claimant/applicant on proper identification by their learned counsels.

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

JUDGE

Comparing Assistant