

Party Name : MAYA RANI DEY Vs THE STATE OF TRIPURA & ORS

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HONBLE THE CHIEF JUSTICE DEEPAK GUPTA THE HONBLE MR. JUSTICE S.TALAPATRA

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Vide order dated 22.07.2014, this Court had directed the State to deposit the amount refundable in the name of the Registrar General of this Court. We had further directed that the petitioner or other partners of the firm may get their disputes resolved by any means. The petitioner thereafter filed one Money Suit being No.05 of 2014 titled Maya Rani Dey Vs. Subhash Ch. Dey & Ors. and in that Money Suit none of the other defendants appeared and that money suit has been decreed ex parte against the defendants therein and the plaintiff/applicant has been held entitled to claim the amount deposited. Correction in the money suit was also made on 12.06.2015. In para-7 of the judgment, we find that the learned trial court has observed that the summons were duly served on the defendants in the said money suit.

We, therefore, allow this application and direct the Registry to refund the entire amount lying in deposit along with interest, if any, accrued thereupon by remitting it to the bank account of the petitioner, Maya Rani Dey on her furnishing an indemnity bond to the Registrar General that in case any claim is filed later in this regard and it is found in any other proceedings that this amount or any part thereof was payable to any other person, then she will pay the same along with interest @ 6%.

Misc. case stands disposed of.