

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAO) NO.67 OF 2015

IN

CIVIL APPLICATION (CAF) NO.2266 OF 2014

IN

FIRST APPEAL STAMP NO.14262 OF 2014

(National Insurance Company Ltd. ..vs.. Smt. Irfana wd/o Sk. Abdul Sayeed and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri B.B. Raipure, Advocate for the appellant,
Shri J.A. Malnas, Advocate for the respondent Nos.1 and 2.

CORAM : Z.A. HAQ, J.

DATED : 28-01-2015

This is an application filed by the original claimants praying for permission to withdraw the amount deposited by the appellant. Considering the submissions made in paragraph 5 of the application about the serious illness of the respondent No.6 (daughter of the respondent No.1) and considering the fact that the defence of the appellant/Insurance Company is that the Tribunal has granted compensation of Rs.22,87,000/- by wrongly calculating the entitlement of the respondent Nos.1 and 2 and according to the appellant, the respondent Nos.1 and 2 are entitled for compensation of Rs.21,17,128/-, in my view, the respondent Nos.1 and 2 can be permitted to withdraw the amount of Rs.30,00,000/- out of the amount deposited by the appellant. The Registrar (Judicial) shall handover the

amount of Rs.30,00,000/- to the respondent Nos.1 and 2 as per the impugned Award.

The balance amount shall be invested in fixed deposit in a Nationalised Bank initially for a period of three years, to be renewed every year, until further orders.

The civil application is allowed in the above terms.

Civil Application No.141 of 2015.

The appellant is permitted to serve the respondent Nos.3, 5 and 6 by Speed Post Acknowledgment Due.

The civil application is allowed accordingly.

JUDGE