

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

FIRST APPEAL NO.506/2014

National Insurance Co. Ltd.

..Versus..

Pushpa wd/o Ashok Kumar Devnani and others

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 13.1.2015

Heard Shri D.N. Kukday, learned advocate for the appellant,

Ms. M.H. Pathade, learned advocate for the respondents 1 to 4, Ms.

Pushpalata Ranjan, learned advocate for the respondent no.5 and Shri

V. H. Kedar, learned advocate for the respondent no.6.

Admit.

Ms. Pathade, learned advocate waives notice for the respondents 1 to 4.

Ms. Ranjan, learned advocate waives notice for the respondent no.5.

Shri V. H. Kedar, learned advocate waives notice for the respondent no.6.

C.A.F. NO.653/2013.

Considering the fact that after the deceased, his widow, his mother and two minor children have to maintain themselves, the respondents 1 to 4 are permitted to withdraw the amount of Rs.9,26,719/- out of the amount deposited by the appellant.

The balance amount of Rs.40 Lakhs be invested in fixed deposit in any nationalized bank initially for a period of three years to be renewed thereafter every year till the decision of the appeal. The respondents 1 to 4 shall be paid interest which would accrue on the fixed deposit quarterly. The civil application is disposed of in the above terms.

The impugned award shall not be executed against the appellant. However, the respondents 1 to 4 are at liberty to execute the award against the respondent no.5, if so advised, to recover the balance amount as per the award.

JUDGE

Tambaskar.