

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 722 OF 2015

IN

CIVIL REVISION APPLICATION NO. 20 OF 2007

MS.JOLENE CAREN GONSALVES AND
ANR.,

... Applicants

Versus

THE NEW INDIA ASSURANCE CO. LTD.
BY ITS SENIOR DIVISIONAL MANAGER
SMT. NEERA SAXENA, D.M.

... Respondent

Mr. S. S. Kakodkar, Advocate for the Applicants.
Mr. V. Sardesai, Advocate for the Respondent no. 1.

Coram:- C. V. BHADANG, J.

Date:- 22nd March, 2016

P.C.

Heard Shri Kakodkar, learned Counsel appearing for the Applicants and Shri Sardesai, learned Counsel appearing for the Respondent no. 1.

2. This application is filed for direction to the Respondent no. 1 to pay the deficit amount of Rs.50,625/- along with interest as on 25.10.2015 to the Applicants. It is submitted that according to the computation made by the Applicants, the amount which is still due and payable to the Applicants under the Award of the Claims Tribunal (which has attained finality), is Rs.50,625/-. Learned Counsel appearing for the Applicant further submits that an amount

of Rs.25,000/- which is deposited by the Respondent no. 1 is lying before this Court and the same may be directed to be paid to the Applicants and in so far as the balance amount is concerned, he will take appropriate steps for execution of the Award.

3. The learned Counsel appearing for the first Respondent, upon instructions, states that the first Respondent has no objection for payment of Rs.25,000/- to the Applicants.

3. In such circumstances, the following Order is passed :

O R D E R

(i) The Applicants shall be permitted to withdraw 50% of the amount of Rs.25,000/- each with proportionate interest, if any, out of the amount deposited before this Court.

(ii) Needless to mention, that the Applicants would be at liberty to take appropriate steps for execution of the Award for the balance amount, if any, in accordance with law and, if so advised.

(iii) It is made clear that this Court has not expressed any opinion as to the amount outstanding, if any.

(iv) The Civil Application is disposed of in the aforesaid terms.

C. V. BHADANG, J.

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