

The New India Assurance Co.Ltd.	...	Applicant
<i>vs.</i>		
Shri Dhimant Indravadan Shah & Ors.	...	Respondents

.....
Mr.B.B.Nangare i/b M/s.B.B.Nangare & Associates for the Applicant.
Mr.V.M.Parkar for the Respondents.

CORAM : K.K. TATED, J.
DATE : 01ST FEBRUARY, 2016

P.C.:

Heard the learned Counsel for the parties.

2. This application preferred by the Insurance Company for refund of Court Fees and sum of Rs. 25,000/- deposited by them at the time of filing of the First Appeal with accrued interest, if any.

3. The learned Counsel appearing for the Applicant Insurance Company submits that matter was settled between the parties. To that effect this Court has passed order on 5th November, 2014 in Civil Application No.44 of 2014. He submits that Insurance Company is entitled for refund of Court Fees, as well as the statutory amount deposited by them at the time of filing of the First Appeal.

4. Considering the submissions made by the learned Counsel for the Insurance Company and the averments made in the Civil Application, I satisfied that the Applicant has made out a case for allowing this Civil Application. Advocate appearing on behalf of the Respondents/Claimants have no objection to allow the present Civil Application. Hence following order.

- a) Appellant/Insurance Company is entitled to refund of Court Fees according to law.
- b) A sum of Rs.25,000/- deposited by the Appellant at the time of filing of the First Appeal be refunded alongwith accrued interest, if any to the Insurance Company without any security.
- c) Civil Application stands disposed of accordingly.

(K.K. TATED, J.)