

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

CAF No. 1234 OF 2016

IN

FIRST APPEAL No. 184 OF 2000

The New India Assurance Company, thr. Its Divisional Manager.

Vs.

Smt. Kusum wd/o Anandrao Kodape 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 : PRASANNA B. VARALE, J.

DATED : 14th JUNE, 2016.

Heard Mr. Manoj Ramteke holding for Mr. A.J. Pophaly, the learned counsel for the applicant/appellant. By the present application, the appellant prayed for withdrawal of the amount deposited by the appellant in this Court. It is submitted that the appellant deposited an amount of Rs. 45,000/- in this Court on 9.6.2000 as a mandatory deposit and in view of the direction of this Court deposited the amount of Rs.1,09,164/- on 9.10.2000. It is further submitted that the appeal filed by the applicant/appellant was allowed by this Court. In view of these facts, the appellant/applicant prayed for withdrawal of the amount with interest accrued thereon.

Perusal of record shows that on 4th February, 2010 the appeal filed by the appellant is allowed by this Court. However, record shows that the amount of Rs.1,09,164/- i.e. amount along with interest accrued was transmitted to the Tribunal vide order dated 23.10.2012 and only the amount to the tune of Rs. 45,000/- deposited by the appellant as the mandatory deposits is lying in the office. In

view of these facts, the applicant is permitted to withdraw the amount of Rs. 45,000/- lying in the office. The applicant is at liberty to take necessary steps for withdrawal of the amount which is already transmitted to the Tribunal. Application is disposed in above terms.

JUDGE

Hirekhan