

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

LETTER O.W. NO. 690 OF 2022
IN
REJ. FIRST APPEAL NO. 608 OF 2017 (D) [RC]

THE NEW INDIA ASSURANCE CO. LTD.

VERSUS

SARASWATI DEVI WD/O RAJENDRA PRASAD MAHTO 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 S. S. Sanyal, Advocate for appellant.

CORAM : V. G. BISHT, J.
DATE : 28/02/2022

Perused Letter dated 15/02/2022 sent by Member,
M.A.C.T., Chandrapur.

It appears that M.A.C.T., Chandrapur had decided
M.A.C.P. No.155/2004 (Saraswati Devi Mahto Vs. Sahni and
others) on 12/01/2012 and accordingly, directed non-applicant
Nos.1 and 2 to pay jointly and severally amount of
Rs.5,99,500/- excluding amount of NFL with interest @ 7.5 %
per annum w.e.f. 06/01/2010 till payment of entire amount.

It further appears that the Insurance Company being
aggrieved by the Judgment and order, preferred an appeal and
in view of directions given by this Court, the Insurance
Company has deposited 75% of the decretal amount vide
Cheque No.291087 in the sum of Rs.2,91,565/- dated
22/01/2016. Eventually, First Appeal came to be dismissed.

Now, it seems that the claimant has filed an application (Exh.31) before the Tribunal and has prayed, on the ground of her old age and illness, to allow her to withdraw the said amount deposited by the Insurance Company, which is lying with this Court.

In view of above, Registrar (Judicial) is requested to transmit the amount of Rs.2,91,565/- deposited in this Court vide Cheque No.290473 dated 29/04/2015 to the Court of Member, M.A.C.T., Chandrapur so as to enable the learned Member to pass the suitable and appropriate order.

[V. G. BISHT, J.]

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Digitally signed by
VITHAL MAROTRAO
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