

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

CIVIL APPLICATION (O) NO.1104/2018
AND CIVIL APPLICATION (O) NO.1144/2018
AND MISC. CIVIL APPLICATION ST.NO.7638/2018
IN REJECTED FIRST APPEAL NO.63/2014

ICICI Lombard General Insurance Co. Ltd. .vs. Smt. Kanta wd/o Kanta
Bhagwan Khadse and ors.

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

Court's or Judge's orders.

Mr. S. Jaiswal, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.
DATED : OCTOBER 5, 2018

ICICI Lombard General Insurance Company approached this Court and filed an appeal challenging the judgment and award passed by Motor Accident Claims Tribunal, Yavatmal in Claim Petition No.347/2006. The said appeal, when it was on stamp, was rejected by an order passed by learned Registrar (Judicial) for non removal of office objections. Therefore, various applications are filed. It is to be noted that the Insurance company has deposited the decretal amount on 19,19,610/- in this Court. In addition to that, a separate amount of Rs.25,000/- is also deposited. The original claimants, therefore, moved Civil Application No.1104/2018 for withdrawal of the said amount.

When these applications were placed before this Court for consideration, Mr. Jaiswal, learned counsel for the Insurance Company, makes a statement that the Insurance

company has already compromised the matter with the respondents and therefore he wishes to withdraw all the applications filed on behalf of the Insurance company and has no objection for withdrawal of the amount, deposited by the Insurance company before this Court.

Statement made through the advocate by the Insurance Company are accepted.

All the applications filed by the Insurance Company are disposed of, as they have rendered infructuous in view of the statement made by the learned counsel for the Insurance Company.

Civil Application No.1104/2018

This application filed by respondent nos. 1 to 4 is hereby allowed. Respondent nos. 1 to 4/original claimants are permitted to withdraw the amount deposited by the Insurance Company before this Court along with interest accrued thereon.

The application is disposed of.

JUDGE