

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

FIRST APPEAL NO.1190/2017

The New India Assurance Company Ltd., through its Manager, Nagpur

..Vs..

Smt. Sapna Wd/o Anil Mate 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 K.D. Deshpande, Advocate for the appellant.

CORAM : Z.A. HAQ, J.

DATE : 3.5.2018.

Heard.

Admit.

Shri Sharad Thakre, Advocate h/f Shri S.J.
Kadu, Advocate waives notice for respondent Nos.1 to 3.

The respondent Nos.4 and 5 are served with
notice of this appeal and are aware about pendency of
these proceedings. Fresh notice to respondent Nos.4 and
5 is not required.

Call record and proceedings.

The appellant to file private paper book
within six months.

C.A.F. NO.2980/2016

The applicant / insurance company has
deposited the amount. Interim order granted on 7th
October, 2016 shall continue until further orders. Civil

application is **allowed** accordingly. No costs.

C.A.F. NO.1152/2018

Considering the nature of defence of the appellant / insurance company, the facts of the case and as the claimants are widow, minor son and aged mother of deceased, following order is passed:

Out of the amount deposited by the appellant / insurance company, respondent No.1 be given Rs.2,00,000/- (Rs. Two Lakhs). Balance amount be continued in fixed deposit in nationalized bank until further orders.

The respondent No.1 be given 50% of the amount of interest which accrues on the amount of deposit, every quarterly starting from 1st July, 2018.

The amount be transmitted to the account of respondent No.1.

The respondents / claimants will be at liberty to seek withdrawal of further amount depending upon exigencies of situation. Civil application is **allowed** accordingly. No costs.

JUDGE