

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

CIVIL APPLICATION (CAF) NO.3221/2018

IN

FIRST APPEAL NO.362/2009 (D)

The New India Assurance Co. Ltd., through its Divisional Manager, Amravati

...Versus...

Shri Vasant Uttamrao Raut 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 M.B. Joshi, Counsel for appellant
Shri P.S. Raut, Counsel for respondent no.1/applicant

CORAM : ARUN D. UPADHYE, J.

DATE : 29/10/2018

Heard the learned Counsel for the parties.

This civil application is filed by the respondent no.1 for withdrawal of amount of Rs.25,000/- deposited in this Court by the appellant

The matter is already disposed of on 2/11/2017. The learned Counsel for the appellant has objected for withdrawal of the amount on the ground that he has no instructions whether the Insurance Company has deposited the amount in final award before the Tribunal. He, therefore, prayed that instead of granting permission for withdrawal, the amount may be remitted to the Tribunal for disbursement, if already not paid.

The learned Counsel for the respondent no.1 has no objection for the same.

Considering the submissions of the learned Counsel for the parties, I am of the view that the amount deposited in this Court, along with accrued interest thereon, be remitted to the Motor Accident Claims Tribunal, Amravati. After remitting the amount, the respondent no.1 - claimant would be entitled to withdraw the amount, if already not paid.

The civil application stands disposed of.

JUDGE

Wadkar, P.S.