

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

CIVIL APPLICATION NO.2794/2018 IN FIRST APPEAL NO.594/2013

Oriental Insurance Co. Ltd. .vs. Nirmala wd/o Nepal Ramteke 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. D. N. Kukday, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 1, 2018

This is an application for permission to withdraw the amount by original respondent no.2-Sanyog and respondent no.3-Ku. Kavita.

Initially an application bearing Civil Application No.678/2013 was filed by respondent no.1-Nirmala for withdrawal of the amount. On 30.07.2014, the said application was partly allowed and Nirmala was permitted to withdraw 50% of the amount of Rs.3,00,000/-. The share allotted to respondent nos. 2 and 3 by the Motor Accident Claims Tribunal was invested in the fixed deposit, since at the time of passing of the order dated 30.07.2014, they were minor. After attaining majority, they have filed the present application for withdrawal of their shares.

After hearing Mr. Motwani, learned counsel for the applicants and Mr. Kukday, learned counsel for the Insurance Company, I pass the following order.

ORDER

- (i) The application is partly allowed.
- (ii) Applicants-original respondent nos. 2 and 3 will be entitled to withdraw the 50% of amount by each of them along with interest accrued thereon as per the share allotted in their favour. The remaining amount shall be invested in any nationalized bank, in order to save loss of interest.

With this, the application is disposed of.

JUDGE

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