

NEW INDIA ASSURANCE CO. VS HARBANS SINGH

Present: Mr. Neeraj Khanna, Advocate
for the appellant(s).

Mr. Ashish Gupta, Advocate
for the respondent.

The office has put up a note stating that in this case vide order dated 3.8.1990 a fixed deposit of Rs. 46307/- has been created but while dismissing the case no direction was given with respect to that amount. Counsel for the appellant has very fairly stated that once the appeal has been dismissed the amount in the fixed deposit would have been handed over to the claimants. Counsel for the claimants states that in fact one of the claimants has died (respondent No.1) and it would be appropriate if this amount is remitted to the Executing Court and there the claimant can move the application for release of the amount and the Executing Court will determine how much amount has to be given to the surviving claimants/LRs. Counsel for the appellant has accepted this.

In the circumstances, it is directed that the amount in the fixed deposit be now transmitted to the Executing Court for disbursal to the claimants/LRs as may be determined by the Executing Court.

3.7.2018
anuradha

(AJAY TEWARI)
JUDGE