

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

CIVIL APPLICATION (CAF) NO.4488 OF 2019 IN
FIRST APPEAL (FA) NO.644 OF 2009.

(The National Insurance Company Ltd. Vs. Shri Padmakar Balwant Sopley (Dead) thr.LRs. & Anr.)

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

Court's or Judge's orders.

None for the appellant.
Shri A.J.Pophaly, Advocate for the LRs of respondent
No.1.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 19, 2019.

Heard.

This application is filed on behalf of the legal representatives of respondent No.1 seeking permission to withdraw the amount of Rs.2,71,454/- deposited by the appellant – National Insurance Co.Ltd.

Respondent Nos.1(B) and 1(C) have filed affidavits authorising respondent No.1(A) to withdraw the amount on their behalf.

First Appeal No.644/2009 is stated to be decided on 06/02/2018.

As the matter is already decided so also nothing has brought to the notice of this Court as to whether Special Leave Petition against the order passed in First Appeal No.644/2009 is filed or not, I am inclined to allow the application and the same is

accordingly allowed.

Respondent No.1(A)(I) – Mangala Gajanan Sopley is permitted to withdraw the amount of Rs.2,43,454/- as deposited by the appellant – National Insurance Co.Ltd. on his behalf so also on behalf of respondent Nos.1(B) and 1(C), with accrued interest, if any.

Civil Application is disposed of accordingly.

JUDGE

Sumit