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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAC.APP. 1062/2017

THE NEW INDIA ASSURANCE CO LTD Appellant

Through: Mr. (name not given), Advocate

versus

SUNITA NAMDEV & ORS Respondents

Through: Mr. R.K. Sharma, Advocate

+ MAC.APP. 1071/2018 & CM Nos.1352-53/2020

SUNITA NAMDEV & ORS Appellants

Through: Mr. R.K. Sharma, Advocate

versus

RAMJI BHAI PATEL @ SHERE PATEL & ORS

(THE NEW INDIA ASSURANCE CO LTD) Respondents

Through: Mr. (name not given), Advocate

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **13.03.2020**

CM No.1353/2020 (exemption) in MAC App. No.1071/2018

Allowed, subject to just exceptions.

CM No.1352/2020 in MAC App. No.1071/2018

1. The claimants are seeking modification of the order dated 31st May, 2019, whereby this Court has disbursed the amount in a phased manner.
2. Respondent No.1, present in the Court, seeks premature discharge of the FDR to buy a property. However, respondent No.1 has no permanent means of sustenance for herself and her four minor children
3. Since respondent No.1 has no permanent means of sustenance, it is

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By: RAJENDER SINGH
KARKI
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not in the interest of justice to discharge the FDR.

4. Had the deceased been alive, he would have given the amount every month to the family for sustenance.

5. The application is dismissed.

MAC No.1062/2017 & MAC No.1071/2018

6. The claimants have not yet completed the KYC details. Let the same be completed within two weeks.

7. These appeals have already been disposed of and need not be listed again.

8. Copy of this order be given *dasti* to counsel for the parties under signatures of the Court Master.

J.R. MIDHA, J.

MARCH 13, 2020

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