

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

Civil Application [CAF] No.1195 of 2020

in

First Appeal No.1095 of 2015 (D)

The National Insurance Co. Ltd.

vs.

Ramrao s/o Gulabrao Banait & others

 Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

*Ms. S.D. Chaudhari, Advocate h/f Shri P.S. Mirache, Advocate for
 Applicant/Respondent No.2.
 None for the Appellant.*

CORAM : S.M. MODAK, J.

DATE : 1st DECEMBER, 2020.

Heard learned Advocate Ms. S.D. Chaudhari for
 respondent No.2 – Nirmala Banait.

02] Respondent No.2 along with her husband
 respondent No.1 - Ramrao Banait asked for compensation
 before the Motor Accident Claims Tribunal. It was on account
 of death of Ratnakar s/o Gulabrao Banait, who was brother of
 respondent No.1. The Tribunal has held that respondent
 No.1- Ramrao is entitled for compensation of Rs.3,03,000/-
 along with other benefits. The Insurance Company
 challenged this judgment, but could not succeed. This Court

as per the judgment dated 08/11/2019 was pleased to confirm the decision of the Tribunal. When the appeal was pending, respondent No.1 - Ramrao expired. Respondent No.2 - Nirmala is the only legal representative.

03] The Insurance Company has deposited an amount of Rs.3,22,381/- and Rs.25,000/-. It is submitted that earlier the respondents have not withdrawn any amount. Hence, the directions :

- i. The Nazar is directed to transfer amounts of Rs.3,22,381/- and Rs.25,000/- along with the interest accrued thereon in the bank account of respondent No.2 - Nirmala Ramrao Banait as per rules. (This order is passed under an assumption that earlier the amounts are not withdrawn).
- ii. The application is disposed of.

JUDGE