

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BEFORE SPECIAL LOK ADALAT
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO.94 OF 2017
WITH
CIVIL APPLICATION IN FIRST APPEAL NO.469 OF 2010
IN
FIRST APPEAL NO.94 OF 2017**

The New India Assurance Co. Ltd Appellant
Versus
Neeta Ulhas Nigade & Ors. Respondents

Mr. S.S. Jinsiwale, Advocate for Appellant.
Lata S. Iyer, Chief Manager, NIA.
Sourin Saha, Administrative Officer, NIA.
Dattatraya Pandey, Administrative Officer, NIA.
Mr. G.H. Keluskar, for Respondent Nos.1, 2, 3 and 5

**CORAM : S. M. MODAK, J.
D.S. DESHMUKH, REGISTRAR
JUDICIAL-II
K.N. SHINDE, Dy. REGISTRAR
(PERSONNEL)**

DATE : 6th FEBRUARY, 2021.

P.C. :

1. It is told that by an email correspondence, the Insurance Company has requested Secretary, High Court, Legal Services Committee about their desire to withdraw various proceedings. The present appeal is one amongst them.

2. It is submitted on behalf of the appellant/Insurance Company that the amount awarded by the Tribunal is acceptable to them. It is submitted that they have already deposited the

amount. Now, they do not want to prosecute this appeal further. It is told on behalf of Respondent No.4 that he has also expired on 17th December 2017. The copy of the death certificate is taken on record and marked as 'X'. It is submitted by the Advocate for Respondent No.4 that appropriate steps will be taken before Claim Tribunal for bringing legal heirs of Respondent No.4 on record.

3. As this is a plain withdrawal, it can be done. The Appellant / Insurance Company are ready for disbursal of the amount as per order of the Tribunal. Hence, the matter is disposed of as withdrawn. The parties to bear their own cost. Court fees be refunded to the Appellant as per the Rules. The amount deposited alongwith statutory deposit and accrued interest be transferred to the Claim Tribunal forthwith and it be disbursed along with the accrued interest to the legal representatives of the claimants as permitted hereinafter by the Claim Tribunal, after considering the withdrawal of the amount, if any, as per the order of the Claim Tribunal forthwith.

4. All pending applications, if any, are disposed of.

5. If R&P is there, it be sent back.

(K. N. SHINDE) (D.S. DESHMUKH) (S. M. MODAK, J.)