

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

**FIRST APPEAL NO.2100 OF 2011
WITH
CIVIL APPLICATION NO.4617 OF 2011
IN
FIRST APPEAL NO.2100 OF 2011**

The New India Assurance Co. Ltd Appellant

Versus

Ramasamuj Ramjas Pandey & Ors. Respondents

Mr. Devendranath S. Joshi, Advocate for Appellant.

Lata S. Iyer, Chief Manager, NIA.

Sourin Saha, Administrative Officer, NIA.

Dattatraya Pandey, Administrative Officer, NIA.

Mr. C.M. Lokesh for Respondent No.1 and 2.

**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. The Appeal is abated against Respondent No.2 as per the order of learned Registrar Judicial – II. It is told on behalf of Respondent No.1 that he has also expired on 17th October 2019. The photocopy of the death certificate is taken on record and marked as 'X'.

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 in accordance with the fresh orders to be passed by the Tribunal in view of above said development. Hence, the matter is disposed of as withdrawn.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 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. The learned Advocate, C. M. Lokesh undertakes that necessary steps for bringing the L.R.s of Respondent No.1 – Ramasamuj Pandey and for Respondent No.2 – Ramkali Pandey will be taken before the Claim Tribunal. 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.)