

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

**CIVIL APPLICATION NO. 529 OF 2021**

**IN**

**FIRST APPEAL NO. 715 OF 2004 (D)**

(National Insurance Co. Ltd., Nagpur Vs. Smt. Farzana wd/o Abdul Wahid (dead) thr.  
L.R's & ors.)

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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None present for the appellant.  
Shri A.J. Mirza, Advocate for respondent Nos. 2 to 5.

**CORAM:- PUSHPA V. GANEDIWALA, J.**

**DATED :- AUGUST 05, 2021**

Heard.

2. By way of this application, respondent Nos. 2 to 5/original claimants are seeking permission to withdraw the balance decretal amount which has been deposited by the appellant/National Insurance Company Limited with the Registry of this Court.

3. It is stated that the appeal which was preferred by the Insurance Company came to be dismissed vide Judgment dated 11/07/2016.

4. It is further stated that respondent No. 1 – mother of respondent Nos. 2 to 5 is expired during the pendency of this appeal.

5. Considering these facts, respondent Nos. 2 to 5 being children of the deceased are permitted to withdraw the balance decretal amount in equal proportion.

6. The registry is directed to release the aforesaid amount with accrued interest thereon in the joint account of the claimant Nos. 2 to 5 within a period of two weeks from the date of receipt of the details of account.

7. The application stands disposed of accordingly.

**JUDGE**

*\*DB*