<u>IN THE HIGH COURT OF JUDICATURE AT BOMBAY</u>
<u>NAGPUR BENCH, NAGPUR</u>

<u>CIVIL APPLICATION (F) NO. 706/2021 IN FIRST APPEAL NO. 1366/2019 (D)</u>

Bharti Axa General Insurance Co. Ltd. **V/s** Ujwala wd/o Chandrakant Gore and others.

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

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Shri B.S.Mandhare, Advocate h/f Shri P.S. Mirache, Advocate for Respondent Nos. 1 to 3 and 5.

<u>CORAM</u> : <u>S.M. MODAK, J.</u>
<u>DATE</u> : 11.06.2021

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] The matter is settled in the Lok-Adalat on 14.12.2019. The appellant/Insurance Company has deposited an amount of Rs. 11,24,545/- + statutory deposit of Rs. 25,000/-.

3] As per the terms of compromise, the appellant has to get refund of Rs. 50,000/- and rest of the amount was agreed to be appropriated to respondent Nos. 1 to 3. There is an order for withdrawal of 50% of the deposited amount as per the order dated 11.10.2019. It is submitted that, the said 50% amount is not withdrawn. The respondent No.4 – Nagorao expired on 18.11.2014 and respondent No.5 – Kamla expired on 19.01.2019. As such only respondent Nos. 1 to 3 are entitled. The amount is to be transferred in the bank account of respondent No.1. Hence, the direction :-

DIRECTION

a] The Office is directed to calculate the interest on Rs. 11,24,545/- and on amount of Rs. 25,000/-.

b] The office is directed to transfer an amount of Rs. 10,99,545/- in the bank account of Respondent No.1 along with accrued interest on the said amount on personal identification.

c] The office is directed to transfer an amount of Rs. 50,000/- along with accrued interest in the bank account of the appellant.

d] Civil Application is disposed of.

(S.M.Modak,J.)

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