

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

Civil Application (F) No.795/2021 in First Appeal No.247/2017 (D)

(Bharti Axa General Ins. Co. Ltd V Prakash Diware and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.P. Bhuiabhar, Adv for appellant.

Ms Aastha Sharma, Adv h/f Shri P.R. Agrawal, Adv for resp. nos. 1 and 2.

CORAM : S.M. MODAK, J.

DATE : 07-04-2021.

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

2. Heard learned Advocate for both the sides.

3. The appeal is disposed of vide order dated 27-02-2020. This Court has reduced the amount of compensation from Rs.12,59,000/- to Rs. 11,28,400/-. After the disposal, the respondent no.1-Prakash has expired on 28-10-2020. Copy of the death certificate is annexed. It is submitted that Sunita his wife is the only legal representative. She is claiming the entire amount. The appellant Insurance Company is not having any objection for disbursement of entire amount to respondent no.2.

4. The appellant has filed calculation and emailed it to respondent no.2 as well as to this Court. It contains all details including the earlier withdrawal, the interest calculation, the amount recoverable by respondent no.2 and the amount claimed back by the Insurance Company. It is acceptable to respondent no.2.

5. There is a prayer to transfer the amount to MACT,

Washim. Hence, the directions :-

DIRECTIONS

- (a) The office is directed to transfer an amount of Rs. 6,81,621/- to the bank account of respondent no.2 on furnishings bank details.
- (b) The office is directed to transfer an amount of Rs. 31,938/- along with accrued interest in the bank account of the appellant.
- (c) ~~MACT, Washim is directed to transfer that amount to the bank account of respondent no. 2 after completing the office procedure.~~ **(deleted as per order dated 17-06-2021 in CAF 795/21)**
- (d) Application is disposed of.

(S.M. Modak, J.)