

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

Civil Application (F) No.1101/2021 in First Appeal No.255/2019 (D)

The Branch Manager, the Bajaj Allianz Gen Ins. Com. V Prabhakar Adagade and others

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

Court's or Judge's Orders

Ms Supriya Pathak, Adv h/f Shri D.N. Kukday, Adv for appellant.
 Shri K.P. Mirache, Adv for resp. nos. 1, 3 to 5.

CORAM : S.M. MODAK, J.
DATE : 24th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard.

3. The matter is already disposed of as withdrawn on 25-03-2021.

4. The appellant has deposited Rs. 25,000/- and 12,35,095/- out of that Rs. 3 lakhs were already withdrawn by respondent nos. 1, 3 and 5.

5. Respondent no.1-Prabhakar expired on 06-03-2018. The copy of death certificate is annexed. His wife Ashabai also expired during the pendency of this appeal. So, respondent nos. 3, 4 and 5 are the only survived claimants.

6. The Tribunal has directed to keep Rs. 1,50,000/- in the name of minors i.e. respondent nos. 4 and 5 till they attain the age of majority.

7. Some directions are required to be continued.

8. The amount coming to the share of parents of the deceased is to be given to respondent no.3/daughter-in-law as it is submitted that she can start with some business. In view of above, the following directions are issued :-

- (a) The Nazir is directed to keep an amount of Rs. 1,50,000/- in fixed deposit in any nationalized bank in the names of respondent No.4-Riya and respondent No.5-Rohan through their natural guardian mother respondent no.3-Sangita.
- (b) The interest on these deposits be paid to respondent no.3-Sangita.
- (c) Rest of the amount be transferred to the respondent no.3-Sangita along with accrued interest towards her share and share of the respondent Nos. 4 and 5.
- (d) The above directions given in respect of the amount which is lying with the Court after deducting Rs. 3 lakhs from the amount which is already withdrawn i.e amount of Rs. 25,000/- and Rs. 12,34,095/-

(e) Application is disposed of.

JUDGE

Deshmukh