

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

CIVIL APPLICATION (F) NO. 249 OF 2021
IN FIRST APPEAL ST. NO. 1612 OF 2020

(Shriram General Insurance Co. Ltd. Vs. Prakash s/o Dewaji Thakre & Ors.)

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

Court's or Judge's orders.

Shri G.I. Dipwani, Advocate for the applicant/
appellant.

Ms. Arti Singh, Advocate for respondent Nos.2 and 3.

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CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 05, 2021.

Heard.

2] It is brought to the notice of this Court that vide order dated 22/02/2021, notices had already been issued and served to respondent Nos.1 to 4. That notice to respondent No.5 was returned un-served as noticee was not present at the time of service. Therefore, vide order dated 26/04/2021, fresh notice came to be issued to respondent No.5, which is awaited.

3] Hence, the order dated 28/07/2021, by which notices were again issued to the respondents, is recalled.

4] Stand over after two weeks.

CIVIL APPLICATION (F) NO. 1416/2021 IN CIVIL APPLICATION NO. 250/2021 IN FIRST APPEAL (ST) NO. 1612/2020.

5] By way of this application, permission is sought to deposit Rs.10,00,000/- towards part of compensation amount.

6] It is submitted that vide Pursis dated 02/08/2021, the appellant has informed that Rs.10,00,000/- has been deposited vide Cheque No.053268 dated 16/07/2021 drawn on AXIS Bank.

7] In this view of the matter, the present application is rendered infructuous. The same is disposed of accordingly as having become infructuous.

CIVIL APPLICATION (F) NO. 1300/2021.

8] This is an application filed by the applicants/ respondent Nos. 2 and 3 seeking withdrawal of amount deposited by the appellant with the Registry of this Court.

9] It is stated that respondent No.1 Prakash died during pendency of Motor Accident Claim Petition. That the applicants/ respondent Nos. 2 and 3 are the widow and son of the deceased. That respondent No.3 Pradeep has executed power of attorney in favour of respondent No.2. That due to

the unfortunate death of the deceased, the applicants are facing financial hardship. As the applicants are the decree holders, 50% of the entire decreetal amount along with interest is allowed to be withdrawn by respondent No.2. The Registry of this Court is directed to transfer the said amount in the bank account of the applicants within a period of two weeks from the date details of the said account are submitted by the learned counsel for the applicants.

10] Civil Application stands disposed of.

JUDGE

Sumit