

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

CIVIL APPLICATION (F) NO.1857 OF 2021 IN
FIRST APPEAL NO. 1481 OF 2019 (D)

The National Insurance Co. Ltd. Vs. Smt. Leelabai Sunil Nemade 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 S.P. Pawar, Advocate for respondent nos.1 to 3/applicants.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 6th OCTOBER, 2021.

Heard.

2. By way of this application, respondent nos.1 to 3, claimants are seeking directions in view of the order dated 04.12.2019.

3. This Court in the aforesaid order dated 04.12.2019 permitted respondent nos.1 to 3 to withdraw decretal amount. As the question was raised at that time by the appellant-Insurance Company with regard to inadvertently excess amount has been deposited, this Court directed appellant to submit the calculation for deciding the refund amount. It is submitted that since passing of the order appellant-Insurance failed to submit the calculations as directed and therefore claimants are not able to withdraw the amount. The claimants' also claim some more recovery of the amount from the appellant.

4. None appeared for the Insurance Company.
5. In such circumstances, Registry is directed to release the decretal amount with interest accrued thereon in favour of the applicants/respondent nos.1 to 3.

JUDGE

Wagh