

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6758 of 2018

(Through Hybrid mode)

***Reliance Nippon Life Insurance
Co. Ltd. and another***

....

Petitioners

Mr. Biswajit Mohapatra, Advocate

-versus-

Sadhu Jena

....

Opposite Party

Mr. Chinmay Patra, Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER

21.12.2022

I.A. No.17271 of 2022

Order No.

08.

1. Mr. Patra, learned advocate appears on behalf of applicant and submits, his client was opposite party in the writ petition, dismissed by order dated 28th March, 2022. He submits, his client has obtained award for payment from the Permanent Lok Adalat (PLA), which is deemed decree. Judgment debtor-insurance company filed the writ petition. Pursuant to dismissal of the writ petition, the executing Court, by order dated 15th October, 2022 directed his client to apply to the Registrar (Judicial) for payment of the deposit made by judgment

debtor in the writ petition, along with interest. His client, therefore, has filed the application for appropriate order.

2. Perused order dated 15th October, 2022. It appears the insurance company was represented in the executing Court and had filed photocopy of Demand Draft showing deposit of Rs.5,03,599/- with the Registrar (Judicial). Hence, it is not necessary to direct issuance of notice of the application to it.

3. Registrar (Judicial) is directed to encash the deposit along with interest accrued thereon and pay same to applicant on obtaining due receipt therefor. Applicant will produce copy of the receipt in the executing Court for record of part execution, discharge and satisfaction against the decree. Applicant may thereafter prosecute the execution proceeding for execution of the balance.

4. Applicant will produce this order before the Registrar (Judicial) for obtaining the payment.

5. The application is disposed of.

(Arindam Sinha)
Judge

Prasant