

Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO.241/2022

IN

FIRST APPEAL NO.147/2018

BABU SHANU NAIK (DEC.)

THR. LRS.

... APPLICANTS

Versus

BAJAJ ALLIANZ GENERAL

INSURANCE CO. LTD., THR.

NILESH SUBASHCHANDRA

GANDHI AND 2 ORS.

... RESPONDENTS

Mr. Raunak Kantak, Advocate *for the Appellant.*

Mr. Amey Kakodkar with Mr. P. Shirodkar, Advocates *for the Respondent-Insurance Company.*

CORAM: M. S. SONAK, J.

DATED: 12th August 2022

P.C.:

1. Heard learned counsel for the parties.
2. First Appeal No.147/2018 is disposed of by order dated 01.07.2022. In terms of paragraph 4 of the order dated 01.07.2022, liberty was granted to the legal representatives of the original claimant Bhanu Shanu Naik to apply for withdrawal of

compensation amount deposited by the appellant-insurance company. Hence this application by the legal representatives.

3. The application not only sets out the names of the legal representatives in paragraph 3 but at paragraph 5 also sets out the apportionment. There is a statement that the legal representatives referred to in paragraphs 3 and 5 are the only legal representatives of the original claimant.

4. This application is not opposed by Mr. Amey Kakodkar, learned counsel for the original appellant. Even otherwise there is no reason not to allow this application.

5. Accordingly this application is allowed and the Registry must permit withdrawals in terms of paragraph 5 of this application. For this purpose, the legal representatives will have to furnish identification documents and bank details, so that the Registry can directly transfer the deposited amount together with interest, in their respective bank accounts.

6. The application is disposed of in the above terms.

M. S. SONAK, J.

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