

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

CIVIL APPLICATION (O) NO. 220 OF 2022

IN

CIVIL APPLICATION (F) NO. 2713 OF 2019

IN

FIRST APPEAL NO. 1277 OF 2019

THE MANAGER, IFFCO-TOKYO GENERAL INS. CO. LTD.

VERSUS

MALABAI WD/O VASANTRAO JAMBHULE 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 D. N. Kukday, Advocate for appellant.

Shri B. S. Mandhare, Advocate h/f Shri P. S. Mirache, Advocate for
respondent Nos.1 and 2.

CORAM : V. G. BISHT, J.

DATE : 28/03/2022

Heard.

The respondent Nos.1 and 2 have filed this
application.

This Court had granted permission to the respondent
Nos.1 to 5 to withdraw 50% amount on usual undertaking vide
order dated 09/08/2019 in Civil Application No.2713/2019.

It is stated in the application that due to dispute,
respondent Nos.1 and 2 separately filed Civil Application for
modification of order dated 09/08/2019 and had sought
permission to withdraw the amount of compensation in
separate accounts of all the claimants vide order dated
18/01/2022.

By order dated 09/08/2019, this Court had allowed respondent Nos.1 to 5 to withdraw 50% of the compensation deposited by the appellant as per the directions of the learned Tribunal.

It is further stated in the order dated 18/01/2022 that due to inter se dispute amongst the respondent Nos.1 to 5, the amount payable to these respondents be transferred in their individual accounts as per their respective shares.

The respondent Nos.1 and 2 has submitted in this application that due to mistake, amount of Rs.6,55,430/- is mentioned instead of Rs.8,55,430/- in Para No.4 of the order dated 18/01/2022 and also, amount in the table as under :-

Nos.	Compensation	
Respondent No.1	Rs.5,05,430/-	With proportionate interest accrued thereon
Respondent No.2	Rs.37,500/-	With proportionate interest accrued thereon
Respondent No.3	Rs.37,500/-	With proportionate interest accrued thereon
Respondent No.4	Rs.1,12,500/-	With proportionate interest accrued thereon
Respondent No.5	Rs.1,12,500/-	With proportionate interest accrued thereon

The office is directed to correct the amount of Rs.6,55,430/- instead of Rs.8,55,430/- in Paragraph No.4 of order dated 18/01/2022 and also, it is required to correct the amount in table as above.

In view of above, the civil application is allowed and disposed of accordingly.

[V. G. BISHT, J.]

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