

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

CIVIL APPLN. (CAF) NO.1580/2020

Reliance General Insurance Co. Ltd. through its Manager, Nagpur
Vs.
Mamta wd/o Manohar Dhanbhate and others.

WITH
CIVIL APPLN. (CAF) NO.1582/2020

Reliance General Insurance Co. Ltd. through its Manager, Nagpur
Vs.
Smt. Vanmala Ramesh @ Rameshwar Tote and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri D.N. Kukday, Advocate for appellant.
Shri A.C. Chaphale, Advocate for respondent No.7.

CORAM : M.S. KARNIK, J.
DATED : 25/04/2022

Learned Counsel for the appellant submits that the
entire decretal amount has been deposited.

The office note shows that notice of respondents is
unserved as the address furnished is reported to be not
correct.

Learned Counsel for the appellant to take
necessary steps within a period of two weeks.

CIVIL APPLICATION (CAF) NO.971/2022

This is an application by the claimants for withdrawal of the decretal amount which has been deposited by the appellant-Insurance Company. This application is opposed by the learned Counsel appearing on behalf of the appellant. It is contended by the learned Counsel for the respondent-claimant that the respondent no.1 is the wife of deceased Ramesh Tote. The claimant no.2- Gopal Ramesh Tote is son of the deceased.

Considering the averments made in the application and having regard to the findings rendered by the Tribunal, I am of the opinion that for the present, the claimants should be allowed to withdraw 50% of the amount deposited in this Court with liberty to the claimants to move appropriate application for withdrawal of the balance amount at the latest stage. Hence, the claimants are permitted to withdraw 50% of the amount deposited in this Court by the appellant-Insurance Company. In the event, the application is moved for withdrawal of the balance amount, the same shall obviously be considered on its own merits.

Civil Application is partly allowed and **disposed of**.

[JUDGE]

R.S.Sahare