

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

Civil Application (F) No.1484/2022 in First Appeal No.609/2018 (D)

The Oriental Insurance Co. Ltd V Sunita Thakre and otehrs

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.V. Joshi, Advocate for applicant.

Mr. V.R. Thote, Advocate for non-applicants no. 1 to 3.

CORAM : ABHAY AHUJA, J.

DATE : 20-09-2022

Heard.

2. This is an application seeking withdrawal of the decretal amount deposited in this Court as per order dated 22-06-2018.

3. The learned Counsel submits that the Appeal filed by the Insurance Company came to be dismissed by orders dated 19-12-2018 and 14-06-2019. The learned Counsel submits that since the Tribunal had granted compensation of Rs. 6,70,000/- which was to be distributed in the manner stated therein viz; whereby respondents no.1 and 3 received Rs.1 Lac each and respondent no.2 received Rs.30,000/-. After the dismissal of the Appeal, pursuant to an application made in that behalf by order dated 14-06-2019, amounts of Rs.1 Lac each were received by respondents no.1 and 3 and the remaining amount was directed to be invested in a fixed deposit has been invested in a nationalized

bank for a period of three years with a right to accrue quarterly interest. Learned Counsel submits that now that fixed deposit has matured and his clients are seeking to withdraw the said amount with interest. In this view of the matter, learned Counsel submits that the fixed deposit amount be also allowed to be withdrawn with interest by respondents no.1 and 3 in equal shares.

4. Having heard the learned Counsel and having perused the application and the Annexures, the following order is passed :-

ORDER

- a. Let the amount invested in a fixed deposit along with interest thereon be allowed to be withdrawn by respondent nos. 1 and 3 in equal shares within a period of two weeks.
- b. The Registry to act accordingly.
- c. Application stands disposed.

(Abhay Ahuja, J.)