

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

CIVIL APPLICATION (CAF) NO. 420/2023 IN
FIRST APPEAL NO. 335/2022

Reliance General Insurance Co. Ltd. thr. its Manager, Mumbai
V/s

Smt. Sharda wd/o Ramesh Patil 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 S.P. Pawar, Advocate for the respondent Nos. 1 to 4.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 14/02/2023.

1. By this civil application, the applicant is seeking permission for dispensing with the personal presence of the respondent No.4.
2. As per the contention of the respondents, they are the original claimants and compensation amount is awarded to them. Now, the Insurance Company has deposited an amount of Rs. 62,92,395/- before this Court, and this Court has also permitted to withdraw the 50% amount, however, the respondent No.4 is of 87 years old and she is not in a position to remain present personally before the Nazir, due to her old age problem.
3. On the above said grounds, the respondent Nos. 1 to 4 requested to dispense her personal appearance of the present respondent.

4. Heard Shri S.P. Pawar, learned advocate for the respondent Nos. 1 to 4.

5. Perused the application. The basic object behind the verification is that, the amount should be handed over to the right person and therefore, the verification of the said person is required.

6. Considering the circumstances narrated in the application, personal appearance of the respondent No.4 can be recorded through Video Conferencing or respondent No.4 can execute power in favour of the respondent Nos. 1 to 3. In this situation, blanketly personal appearance cannot be dispensed with.

7. In the circumstances, personal appearance of the present respondent No.4 is dispensed with. On condition that, her verification to be recorded through Video Conferencing.

8. The respondent No.4 is permitted to appear before the Nazir through Video Conferencing.

Civil application No. 420/2023 is disposed of.

Steno copy of this order be furnished to the learned counsel for the respondent Nos. 1 to 4.

JUDGE