

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

CIVIL APPLICATION (CAF) NO. 2207/2023 IN
FIRST APPEAL NO. 208/2023

Divisional Manager New India Assurance Co. Ltd. Through its Regional Office, Nagpur
Vs.

Seema W/o Anand Jain and others

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

Court's or Judge's orders

Ms Anita Mategaonkar, Advocate for appellant
Ms M.H. Pathade, Advocate for respondent Nos. 2 to 6

CORAM : SMT. M.S. JAWALKAR, J.

DATE : 09/08/2023

Present application is filed by respondent Nos. 2 to 6 for grant of permission to withdraw the decretal amount. It is submitted that the Tribunal has granted compensation to the respondent Nos. 2 to 6 of Rs.66,77,781/- along with 7.5% interest per annum. The Insurance Company has deposited Rs.92,11,829/- on 16/11/2022.

2. It is submitted that respondent No.2 is the widow of deceased Anand, respondent Nos. 3 and 6 are minor daughters and respondent Nos.4 and 5 are aged parents. They are without any compensation. I have gone through the application. It would be appropriate at this stage

to allow the claimants/respondent Nos. 2 to 6 to withdraw 25% of the amount along with accrued interest. Out of the said amount, respondent No.2/ claimant shall fix Rs.2,00,000/- each in the name of minors in any nationalize bank till they attained the age of majority.

3. Nazir is directed to disburse the amount after due verification of bank details in favour of respondent Nos. 2 to 6.

4. It is open to the learned Counsel for respondent Nos. 2 to 6 to move to this Court if contingency arise for further release of compensation.

5. One week time is granted to appellant to supply copy for issuance of notice to respondent No.1.

6. Six weeks time is granted to file private paper book.

(SMT. M.S. JAWALKAR, J.)