

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

CIVIL APPLICATION (CAF) NO. 1053/2023 IN
FIRST APPEAL NO. 179/2015(DECIDED)

The Oriental Insurance Co. Ltd., Through The Regional Manager, Nagpur
Vs

Devidasrao S/O Sheshraoji Umale And 2 Others

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

Court's or Judge's Order

Mr D.N. Kukday, advocate for the appellant.

Mr V.A. Kothale, advocate for the respondent Nos. 1 (A) to 1 (D).

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/04/2023.

1 Heard.

2. By this application, respondents No.1(A) to 1(D) is seeking permission to withdraw the amount through Special Power of Attorney namely Shobhana Devidas Umale. The said Special Power of Attorney is executed in favour of Respondent No.1-B i.e. Shantanu Devidas Umale.

3. It is submitted by the learned advocate Mr D.N. Kukday for the appellant that he has not received any instructions as to whether the appellant/ insurance company has taken any decision regarding preferring an appeal or not.

4. Sufficient time is already granted to make that submission to the appellant. As nothing is on record to show that the appellant has preferred an appeal or

desires to prefer an appeal. The respondents are entitled to withdraw the amount along with accrued interest.

5. In view of that, respondent No.1-B is permitted to withdraw the amount of compensation along with accrued interest on due identification and verification.

6. Respondent No.1-B shall file an affidavit before the Court that the respective shares of all the respondents are disbursed to them.

7. Registry is directed to disburse the amount before Summer Vacation, considering that respondent No.1-A has to undergo heart surgery.

Civil application is disposed of.

JUDGE