

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

**CIVIL APPLICATION NO.2122 OF 2022 IN
FIRST APPEAL NO.514 OF 2007**

(New India Assurance Co. Ltd. Vs. Shama Afroz wd/o Abdul Salim and ors.)

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

Court's or Judge's Order

Ms Aastha Sharma, Advocate h/f Shri P.R. Agrawal, Advocate for
respondent No.4.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 20, 2023.

Heard.

2. By this application, applicant/respondent No.4 is seeking permission for withdrawal of amount. First appeal is already dismissed in default for non-compliance of order dated 07/04/2017.

3. In view of withdrawal, respondent No.4 was minor at the relevant time, therefore, her share in the compensation was kept in fixed deposit. Now she has attained the age of majority. The application is supported by the affidavit. It is further contention of the respondent No.4 that her name was mentioned as "Heena Parveen d/o Abdul Salim", however her name on record shows "Mahek Parveen Mohammad Saleem". She also filed affidavit on record along with copy of Adhar card. The contents of the affidavit shows that Heena Parveen and Mahek Parveen are the same person.

4. In view of affidavit, I am satisfied that Heena and Mahek are the one and same person.

5. In view of that the amount deposited in the name of respondent No.4 be disbursed along with accrued interest to her on due verification and identification.
6. Civil application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*