

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

CIVIL APPLICATION (CAF) NO. 2907/2022 IN
FIRST APPEAL NO. 1201/2019

Reliance General Insurance Co. Ltd., Chandrapur Branch Thr. Manager, Nagpur
Vs
Smt. Bebytai Wd/O Haridas Kawalwar 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 D.N. Kukday, Advocate for the appellant.

Shri M.A. Deo, Advocate for the respondent Nos.1 to 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 06/02/2023.

1. Heard.
2. By preferring this civil application, the respondent Nos. 1 and 2 are seeking appropriate orders, in pursuance of the order dated 01/09/2021.
3. By the order dated 01/09/2021, this Court had already permitted to respondent Nos. 1 to 3 to withdraw 50% of the decretal amount with accrued interest thereon on furnishing usual undertaking.
4. Shri M.A. Deo, learned Advocate submitted that, as per the procedure adopted by the Registry, the claimants have to open the joint account. He further submitted that, the respondents are resident of Chandrapur and the order is passed long back on 01/09/2021. The respondent Nos. 1 and 2 have no joint account, and if, now they open the

joint account and they required more 15 to 20 days to complete the procedure. The respondents are in need of money and therefore, exception be made, and they be permitted to withdraw the amount by depositing the same in their own accounts.

5. Considering the reasons mentioned in the civil application, and as already, they are permitted to withdraw the amount but they could not withdraw the amount. The order is passed long back. Considering the need mentioned by the respondents in the application. Civil Application is allowed.

6. The Registry shall disburse the amount to their respective account as per their share, as 1/3rd each.

Civil application No. 2907/2022 is disposed of.

Civil application (CAF) No. 2906/2022

1. Heard.
2. This application is also for seeking directions regarding disbursement of the amount. However, in the meanwhile, respondent no.3 died. Therefore, his legal heirs are required to be brought on record.
3. Stand over after **two weeks**.

JUDGE