



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

CIVIL APPLICATION (F) NO.2557 OF 2024

IN

FIRST APPEAL NO.25 OF 2009 (D)

**[The Oriental Insurance Company Ltd. ..Vs.. Rinkubai Pochanna
Madavi and Ors.]**

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

Court's or Judge's order

Mr A. M. Quzai, Advocate for Applicant/Appellant.

Mr P. P. Pendke, Advocate for Non-Applicant/Respondent Nos.1 to 5.

CORAM : M. W. CHANDWANI, J.

DATE : 30th SEPTEMBER, 2024.

1. Heard.

2. By the present application, the respondent Nos.1 to 5 seek withdrawal of the amount in the name of “Rikubai Pochakka Madavi” as well as in the name of “Laxmi Shankar Atram” instead of “Rinkubai Pochanna Madavi” and “Laxmi Pochanna Madavi”, which are mentioned in the claim petition.

3. The contention is that in other part, the name of Rinkubai Pochanna Madavi is mentioned as Rikubai Pochakka Madavi. She is one and same person. Likewise, the name of Laxmi Pochanna Madavi has been changed to Laxmi Shankar Atram, after her marriage.

4. It is also contended that at the time of filing of petition, the respondent No.4 was minor and she was represented by her natural guardian i.e. the respondent

TAMBE

No.1. Pending the appeal, the respondent No.4 - Shyamla Pochanna Madavi died on 11.07.2017. At the time of her death, she was unmarried. Therefore, respondent Nos.1, 2, 3 and 5 are the legal representatives of respondent No.4 – Shyamla.

5. Considering the reasons mentioned in the application supported by affidavit, the application is allowed. The amount be disbursed in the name of “Rikubai Pochakka Madavi” as well as in the name of “Laxmi Shankar Atram.” Likewise, the amount of deceased respondent No.4 – Shyamla be equally distributed amongst the respondent Nos.1, 2, 3 and 5.

6. Accordingly, the civil application is disposed of.

JUDGE