



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

**CIVIL APPLICATION (CAF) NO. 114 OF 2023
IN**

FIRST APPEAL (ST) NO. 17668 OF 2022

The Cholamandalam M. S. General Insurance Co. Ltd.

Vs.

Nand Wd/o. Dhanendra Meshram and others

WITH

**CIVIL APPLICATION (CAF) NO. 2280 OF 2022
IN**

FIRST APPEAL (ST) NO. 14009 OF 2022

The Cholamandalam M. S. General Insurance Co. Ltd.

Vs.

Abdul Hamid S/o. Abdul Rajjak and others

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

Court's or Judge's Order

Mrs. Mrunal Naik, Advocate for applicant.
Shri P S. Mirache, Advocate for non-applicant no. 1 (in CAF No.
2280/22),

CORAM :- M. W. CHANDWANI, J.

DATED :- 20.08.2024

CAF NO. 2269/2024 [In FA (St) No. 17668/2022]

The learned counsel for the appellant has
tendered the application across the bar. It is taken on
record.

2. For the reason mentioned in application, the
application is allowed and the appellant is permitted to
serve the respondent no. 4 by paper publication.

CAF NO. 1692/2024 [In FA (St) No. 17668/2022]

3. By the present application, respondent nos. 1 to 3 are seeking permission to withdraw the decretal amount deposited by the appellant. Considering the statement as well as the directions in the operative order of the award, respondent nos. 1 to 3 are permitted to withdraw 25% of their respective shares along with accrued interest.

4. The application is disposed of accordingly.

CIVIL APPLICATION (CAF) NO. 2280 OF 2022

5. By filing pursis, the learned counsel for the appellant submits that respondent no. 2 died during the pendency of the claim petition and no other legal representative was brought on record as respondent no. 1- husband of the deceased, was already on record. It appears that the award has been passed against deceased respondent no. 2.

6. Be that as it may, the fact remains is that according to the appellant, the legal representative of deceased respondent no. 2 is already on record. Hence, permission is granted to the appellant to delete the name of respondent no. 2 from array of respondent. Necessary correction be carried out before the next date of hearing.

7. Stand over after two weeks.

(M. W. CHANDWANI, J.)