



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**34 CIVIL APPLICATION NO. 5204 OF 2024
IN FA/1319/2003**

**BHAGIRATHIBAI TRMBAK GAIKWAD AND ANR
VERSUS
THE ORIENTAL INSURANCE CO.LTD
THR BRANCH MANAGER AND ANR**

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Advocate for the Applicants : Mr. Chincholkar Ganpat Niranjan
Advocate for Respondent No.1 : Mr.VN.Upadhye

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 15th APRIL 2025**

PER COURT :

. First Appeal No. 1319 of 2003 is finally decided by this Court on 18.02.2019. Thereafter, it revealed that Respondent No.1/ insurance company failed to deposit the amount. After long persuasion, a cheque of Rs.3,76,821/-(Rupees Three Lacs Seventy Six Thousand Eight Hundred Twenty One Only) is brought before court. There is no dispute that Applicant Nos.1 and 2 who are claimants are entitled to receive the amount.

2. In view of supervening events, there is no point in proceeding against the Respondent No.1/insurance company for any breach of order. The interest of the parties would be sub-served by directing the office to accept the cheque and disburse the amount to the Applicant

Nos.1 and 2/claimants. Hence, I pass following order :

ORDER

a) Civil Application is disposed of with a direction to office to accept the cheque and disburse the amount of Rs.3,76,821/- (Rupees Three Lacs Seventy Six Thousand Eight Hundred Twenty One Only)Applicants/claimants.

b) Office is also directed to disburse the statutory deposit with accrued interest to the Respondent Nos.1 and 2/claimants alongwith the amount of cheque referred above.

c)The record of First Appeal No.1319 of 2003 shall be transmitted to MACT, Nanded.

[SHAILESH P BRAHME, J.]

vsj..