



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

CIVIL APPLICATION (F) NO.1002 OF 2025

IN

FIRST APPEAL NO.17 OF 2012 (D)

[The National Insurance Co. Ltd. ..Vs.. Smt. Sangita Wd/o Sanjay
Dhadse 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 C. A. Anthoney, Advocate for Applicant/Appellant.

CORAM : M. W. CHANDWANI, J.

DATE : 4th APRIL, 2025.

1. Heard.

2. By this application, the applicant/appellant is seeking direction to accept the withdrawal pursis and to pay the excess amount as per the order of this Court dated 22.01.2016.

3. A perusal of the judgment of this Court dated 22.01.2016 goes to show that the amount of Rs.2,89,280/- is directed to be deducted from the compensation amount of Rs.6,41,313/- and the balance amount of Rs.3,52,033/- shall to be paid to the claimants with interest at the rate of 9% per annum from the date of filing of the claim petition till its realization.

4. It is contended that the amount of original award alongwith interest has been deposited to the tune of Rs.10,00,763/-. Thus, it is necessary to calculate the amount of interest on the balance amount of Rs.3,52,033/-, which is

required to pay to the claimants at the rate of 9% per annum from the date of filing of the claim petition till deposition by the appellant with this Court. However, the pursis does not clarify this calculation, therefore, the appellant is directed to calculate the amount to which the claimants are entitled.

5. The Registrar (Judicial) after satisfying himself about the amount of award to which the claimants are entitled in terms of the judgment of this Court dated 22.01.2016, the remaining amount shall be paid to the appellant.

6. Accordingly, the application is disposed of.

JUDGE

Tambe