



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

CIVIL APPLICATION (CAF) NO. 1130 OF 2025

IN

FIRST APPEAL NO. 1086 OF 2014

(The National Insurance Co Ltd Vs. Smt. Prayagbai wd/o Vasantrao Jeughate and ors)

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

Court's or Judge's orders

Mr. C.A. Anthoney, Advocate for appellant.

Mr. S.P. Pawar, Advocate for applicant/respondent Nos 1 to 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 23-06-2025

Heard.

2. Applicants/respondent Nos. 1 to 3 have filed this application for permitting them to withdraw the amount deposited by the appellant. It is also prayed that respondent No.1 be permitted to withdraw the amount on behalf of respondent No.2, who is her daughter. Since she is unable to attend the Court, they have also filed a Power of Attorney along with the application, for which learned counsel for the appellant has given no objection.

3. Perused the application and record. It appears that the First Appeal was withdrawn by the appellant before the Lok-Adalat on 28.09.2024. As per the Award, respondents were permitted to withdraw any compensation amount lying in the Court, with interest, and distribute it among the original claimants. It is also submitted that, by Power of Attorney, respondent No. 2 has given her mother, i.e., respondent No. 1, Prayagbai, the authority to collect the amount on her behalf.

4. In view of the aforesaid factual position, the application is allowed. The applicants are permitted to withdraw the amount deposited by the appellant in the Court.

5. The Learned Registrar (J) is directed to transfer the amount, along with accrued interest thereon, by distributing it proportionately in the bank accounts of the applicants as per the Award passed by the Tribunal within three weeks upon the respondent's furnishing their bank account details to the registry.

6. If the respondent No. 2 doesn't have bank account, her share be transferred to the account of respondent No. 1. In case, the amount is transferred in the account of respondent/Applicant No. 1, she shall file affidavit about payment of said amount to applicant No. 2 as per the Award within one week, after the receipt of said amount.

(ABHAY J. MANTRI, J.)

Belkhede