



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 1573 OF 2020

IN

FIRST APPEAL NO. 1240 OF 2013

The National Insurance Co. Ltd., Nagpur

Vs.

Mustaque Ahemad Skh. Chand and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. C.A. Anthony, Advocate for applicant.

Mr. P.R. Agrawal, Advocate for respondent Nos.2 to 4.

CORAM : ROHIT W. JOSHI, J.

DATE : 06.02.2025.

The present appeal was decided finally on 25.02.2020 and the judgment was subsequently modified on 12.10.2023. The respondent Nos.1 to 4 have moved the present application seeking permission to withdraw the amount in terms of the said judgment and order. Vide order dated 07.01.2025, this Court had directed the appellant Insurance company to file calculations on record.

2. The learned counsel for respondent Nos.1 to 4, original petitioner does not dispute the calculations.

3. In view of the aforesaid, the application for withdrawal of the amount in terms of judgment dated 25.02.2020 as modified by the order dated 12.10.2023 is allowed. The respondent No.1 Mushtaque and respondent No.3 Ashfaq have expired. The respondent Nos.2 is widow of Mushtaque and mother of Ashpaque, the respondent No.4 is daughter of Mushtaque and sister of Ashpaque.

4. The amount payable to the Mushtaque and Ashpaque be transferred in the account of respondent No.2-Shakila, in view of the fact that the respondent No.4 has no objection for the same.

5. The civil application is disposed of.

6. It is reported that some part of the compensation is deposited in this Court and some part of it is deposited with the learned Tribunal. The office of this Court as well as learned Tribunal, are directed to disburse the amount in terms of the judgment dated 25.02.2020 as modified by the order dated 12.10.2023.

(ROHIT W. JOSHI, J.)