



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

CIVIL APPLICATION NO. 2699 OF 2025 IN
FIRST APPEAL NO.1253 OF 2010

The New India Assurance Co. Ltd.

..vs..

Smt. Savita Amar Kale and ors.

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

Court's or Judge's orders

Shri P.R. Agrawal, Advocate for the applicants.

CORAM: PRAVIN S. PATIL, J.
DATED : 10/09/2025.

Heard.

2. Present appeal preferred by the Insurance Company came to be dismissed for non-removal of office objection vide order dated 21.04.2015. Since last 10 years no steps has been taken to restore the appeal. It is seen from the record that present respondent nos. 1, 3 and 4 moved application for withdrawal of amount and same was allowed by this Court.

3. From the order of Motor Accident Claims Tribunal, Washim it is seen that out of the compensation amount respondent no.1 was permitted to withdraw 40%, respondent nos. 2 and 3 15% and respondent no. 4 30%.

4. It is informed that respondent no.2 is expired on 20.04.2023. After the death of respondent no.2, it is revealed that the some amount of respondent no.2's share is lying with the registry of this Court. Therefore, the present application is moved to issue direction to the registry to disburse the said amount in favour of either of the respondent nos.1, 3 and 4.

5. After perusal of the record, it is seen that respondent no. 4 Neha Amar Kale is the taking education and in need the financial support. The deceased respondent no.2

was her grandfather.

6. Hence in the interest of justice, the amount of share of respondent no.2 which is lying with this Court, be disbursed in favour of respondent no.4.

7. Registry is directed to transfer the balance amount of share of respondent no.2 to the Motor Accident Claims Tribunal, Washim who has decided Motor Accident Claim Petition No.86 of 2007 by judgment dated 28.07.2010 to disburse the same in favour of respondent no.4 Neha Kale.

8. The application stands disposed of accordingly.

(PRAVIN S. PATIL, J.)

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