



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION NO.3265 OF 2024 IN
FIRST APPEAL ST. NO.12306 OF 2018

Oriental Insurance Co. Ltd.

..VS..

Chintaman s/o Kolhaji Shanware 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 A.V. Joshi, Advocate for the appellant.

Shri D.S. Khushalani, Advocate for respondent nos. 1 and 2.
(through V.C.)

CORAM: SANDIPKUMAR C. MORE, J.

DATE : 14/01/2025.

Heard learned Counsel for the respondent nos.1
and 2/Claimants.

2. The application is filed for withdrawal of entire amount of compensation along with the accrued interest thereon, which is deposited by the appellant/Insurance Company.

3. The record shows that this Court vide order dated 09.02.2021 has dismissed Civil Application No.1674/2018 filed by the appellant/Insurance Company for condonation of delay for want of prosecution. Thus, the appeal filed by the Insurance Company has consequentially dismissed. There is no restoration application filed by the Insurance Company after aforesaid order till today.

4. Under such circumstances, the respondent no.1 and 2 being the parents of the deceased are entitled to withdraw the amount of compensation as awarded by the concerned Motor Accident Claims Tribunal, which is deposited here by the appellant/Insurance Company.

5. As such, the respondent nos.1 and 2/Original Claimants are permitted to withdraw the aforesaid amount of compensation deposited by the appellant/Insurance Company in this Court, along with the interest accrued thereon till date.

6. The said amount be distributed equally between the respondent nos.1 and 2.

7. The application is disposed of.

(SANDIPKUMAR C. MORE, J.)

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