
(2021) 02 SHI CK 0277

In the High Court Of Himachal Pradesh

Case No : First Appeal Order No. 117 Of 2014

Bajaj Allianz General Insurance Company

APPELLANT

Vs

Shrimati Kamla Devi & Others

RESPONDENT

Date of Decision : 25-02-2021

Acts Referred:

Code Of Civil Procedure, 1908 — Order 23 Rule 1

Citation : (2021) 02 SHI CK 0277

Hon'ble Judges : Vivek Singh Thakur, J

Bench : Single Bench

Advocate : Aman Sood, Vijay Chaudhary, Rakesh Chauhan

Final Decision : Dismissed

Judgement

Vivek Singh Thakur, J

FAO No. 117 of 2014 along with CMP No. 1804 of 2021

1. Present appeal has been preferred by Insurance Company against award dated 16.1.2014 passed by learned Motor Accident Claims Tribunal-II,

Chamba (MACT) in MAC Petition No. 133 of 2012, titled Kamla Devi Vs. Bajaj Allianz General Insurance Company and others.

2. Now an application bearing No. 1804 of 2021 has been filed on behalf of appellant under Order 23 Rule 1 CPC, seeking leave of this Court to withdraw the appeal.

3. There is no objection on behalf of appearing respondents for allowing the application, permitting the appellant to withdraw the appeal. However, it is submitted that amount falling in shares of respondents no. 1 and 6 may also be released in their favour after deducting the amount already released to them vide order dated 26.4.2016.

4. In view of above, present appeal is dismissed as withdrawn with further direction to the Registry to release the amount falling in shares of respondents No. 1 and 6, along with up to date interest, after deducting the amount already paid to them, by remitting the same in their bank accounts, details of which shall be furnished by learned counsel for respondents No. 1 to 6 within seven days to the Registry of this Court. Amount falling in shares of minor respondents No. 2 to 5 be invested as per rules. The appeal stands disposed of. Pending application(s), if any, also stands disposed of in aforesaid terms.