

(2010) 09 GUJ CK 0025
In the Gujarat High Court

Case No : Civil Application No. 8836 of 2010 in First Appeal No. 2278 of 2010

Oriental Insurance Co. Ltd.

APPELLANT

Vs

Suratiben Shanabhai Harijan and Others

RESPONDENT

Date of Decision : 30-09-2010

Acts Referred:

Citation : (2010) 09 GUJ CK 0025

Hon'ble Judges : S.R. Brahmbhatt, J

Bench : Single Bench

Advocate : Rajni H. Mehta, for the Appellant; M.T.M. Hakim, for Respondents Nos. 1-4, Harshitstolia and Parthstolia, for the Respondent

Judgement

S.R. Brahmbhatt, J.—Main matter, i.e. First Appeal No. 2278 of 2010 has already been admitted. On 26/8/2010, this Court has passed the order (Coram: Ravi R. Tripathi, J), directing the Tribunal to deposit the amount initially for a period of 3 (three) months, and further orders were to be passed after hearing the parties.

2. Today, this Court heard learned advocate for the parties. Looking to the controversy involved in the matter and the stand taken by the insurance company, the entire amount is required to be deposited in a nationalized bank, initially for a period of five (5) years. In case the appeal is not disposed of by the date of maturity, then the amount be reinvested for an appropriate period or till the final disposal of the appeal. The amount be deposited in the name of Nazir of the concerned Court / Tribunal along with the claimants. The interest accrued there from be paid to the claimants periodically. Claimants are at liberty to approach the Tribunal for apportionment of their interest share, which shall be decided by the Tribunal in accordance with law.

3. In view of above, the impugned award shall remain stayed till final disposal of the appeal, subject to the directions herein above. Civil application stands disposed of. Rule made absolute. No costs.