

Smt. Bimlesh Versus Reliance General Insurance

Present: Shri Ajit Singh Rajorai, counsel for petitioners/DHs
Shri S.K. Mittal, counsel for respondent/JD

File no.CM-800-2025 received.

Counsel for DHs submits that claim petition was awarded in favour of DHs vide award dated 21.07.2018. Insurance Company filed appeal before Hon'ble High Court and vide order dated 16.10.2018 insurance company was directed to deposit the entire compensation amount before the Tribunal. On 06.11.2018, two cheques were deposited by insurance company. Said FAO was dismissed on 28.08.2025 for non prosecution. Thereafter, amount of Rs.20,26,008/- was got released by petitioners. However, insurance company did not deposit the interest from 06.11.2018 to 28.08.2025 i.e. the period lost due to filing of appeal by the insurance company. He prays that insurance company be directed to deposit the interest amount for the said period and his execution be allowed.

But the same is objected by counsel for respondent/insurance company. He submits that in compliance of order dated 16.10.2018 passed by Hon'ble High Court, insurance company deposited the two cheques of awarded amount with interest of Rs.20,26,008/- and Rs.60,124/- before the Tribunal on 12.11.2018. Said FAO was dismissed for non prosecution on 28.08.2025. Thereafter, payment of Rs.20,26,008/- was got released by petitioners. Now they are claiming interest from 06.11.2018 to 28.08.2025. But this execution is not maintainable as entire money with interest was got deposited by insurance company in compliance of order passed by Hon'ble High Court. Insurance Company has filed an application for restoration of appeal which is pending in the Hon'ble High Court. Petitioners have also filed appeal before Hon'ble High Court which is also pending. He place on file copies of order passed by Hon'ble High Court and case status report

showing that matter on behalf of both the parties is pending before Hon'ble High Court. He prays that execution be dismissed.

Heard.

Insurance company filed an appeal before Hon'ble High Court against the Award dated 21.07.2018 passed by MACT, Nuh. In the said appeal, Hon'ble High Court passed an order dated 16.10.2018 that *"In the meantime, the appellant-Insurance Company would deposit the compensation amount in its entirety before the Tribunal. The compensation amount, however, would not be disbursed in favour of the claimants but would be kept in a fixed deposit carrying the highest rate of interest"*.

In compliance of order dated 16.10.2018 passed by Hon'ble High Court, insurance company deposited the awarded amount with interest. Said FAO was dismissed for want of prosecution on 28.08.2025. Perusal of CM-800-2025 reveals that payment of Rs.20,26,008/- was got released by the petitioners without disclosing order dated 16.10.2018. Insurance company has filed application for restoration of appeal. Counsel for respondent has placed on file case status report and orders passed by Hon'ble High Court which shows that matter pertaining to both the parties is pending before the Hon'ble High Court again. In view thereof, present execution petition is disposed of at this stage with permission to file afresh after obtaining necessary directions from the Hon'ble High Court. File be consigned to record room after due compliance.

Date of Order : 18.07.2026
Anand Mishra, Steno-I

(Renu Rana)
ADJ, Nuh
UID No.HR0196