

**Shriram General Ins. Co. Ltd. Vs. Promila Devi & Ors.
alongwith connected appeals**

**FAO No.468 of 2015 a/w
FAO Nos.79 & 214 of 2016**

10.03.2023 Present: Mr. Munish Kumar, Advocate vice Mr. Jagdish Thakur, Advocate, for the appellant(s) in all the appeals.

Mr. Sunil Kumar, Advocate, for respondents No.1 to 5 in FAO No.468 of 2015 and respondents No.1 to 3 in FAO Nos.79 and 214 of 2016.

CMP No.7309 of 2022 in FAO No.468 of 2015

Applicants are respondents No.2 and 3. It has been pleaded that these two applicants have attained the age of majority. In support of this averment, matriculation certificates of both the applicants, reflecting their date of birth, have been appended. No reply is intended to be filed to the application on behalf of the non-applicant/appellant.

Accordingly, the application is allowed. The guardian of the applicants/respondents No.2 and 3 is discharged. The applicants are permitted to sue/defend in their own capacity, having attained the age of majority.

The application stands disposed of.

CMP No.7308 of 2022 in FAO No.468 of 2015

Learned counsel for the applicants submits that the application be treated to have been filed only on behalf of applicants/respondents No.1 to 3 and 5. Applicants-respondents No.1 to 3 and 5 have prayed for release of 50%

of the awarded amount alongwith upto date interest in their favour. It has been submitted in the application that the applicants are in dire need of money. The money is required for the renovation of their old house and also for the purpose of meeting their day-to-day expenses. The applicants have been stated to be unemployed, having no independent source of income. Learned vice counsel appearing for the non-applicant/ appellant has no objection for release of the reasonable amount out of the awarded amount in favour of the applicants.

Accordingly, the application is allowed. It is ordered that 20% of the share of each of the applicants (respondents No.1, 2, 3 and 5), as per paragraph 25 of the award, be released in their favour. The same be remitted in their bank accounts, details whereof have been given in the application.

The application stands disposed of.

**CMP(M) Nos.117 and 118 of 2023 in
FAO No.468 of 2015**

Issue notice to the proposed legal representatives of respondent No.6, returnable within four weeks, on taking steps within a week.

Reply to the applications, if any, be filed by the appearing respondents in the meanwhile.

List after four weeks.

CMP(M) Nos.119 and 120 of 2023 in
FAO No.79 of 2016

Issue notice to the proposed legal representatives of respondent No.4, returnable within four weeks, on taking steps within a week.

Reply to the applications, if any, be filed by the appearing respondents in the meanwhile.

List after four weeks.

CMP(M) Nos.121 and 122 of 2023 in
FAO No.214 of 2016

Issue notice to the proposed legal representatives of respondent No.4, returnable within four weeks, on taking steps within a week.

Reply to the applications, if any, be filed by the appearing respondents in the meanwhile.

List after four weeks.

March 10, 2023
Mukesh

Jyotsna Rewal Dua
Judge