

United Insurance Company Ltd.

Vs. Anil Kumari & Ors.

FAO (MVA) No.100 of 2024

04.11.2025 Present: Mr.Nitin Misra, Advocate, for the appellant.
Mr. Surinder Saklani, Advocate, for respondents No.1 to 4.
None for respondent No.5.
Mr. Lalit Kumar Sehgal, Advocate, for respondent No.6.

CMP No.16683 of 2025

The instant application under Section 151 of CPC has been filed on behalf of applicant/respondent No.1-Anil Kumari, for release of the awarded amount, lying deposited in the Registry of this Court.

2. As per the applicant, she requires money for the education of her children and also to meet out other expenses. Therefore, it is prayed that at least 50% of the awarded amount of compensation alongwith up-to-date interest, be released in her favour. The application is duly supported with the affidavit of the applicant.

3. In the reply filed by the non-applicant/appellant, the prayer made in the application has been opposed on the ground that in the event of appeal being allowed, it would be difficult for the Insurance Company to recover the amount, so released.

4. Heard. Having perused the averments made in the application, which is duly supported with the affidavit of the applicant/respondent No.1, this Court finds it in the interest of

justice to release a sum of Rs.7,00,000/- in favour of applicant/respondent No.1, out of her share in the total awarded amount of compensation, which is lying deposited in the Registry of this Court, after proper verification and identification by remitting the same to her bank account, details whereof have been given in para-2 of the application.

5. It is made clear that release of the awarded amount shall be subject to final outcome of the appeal and in the event of appeal being allowed, applicant/respondent No.1 will have to refund the amount, so released, with interest @ 6% per annum.

6. The application stands disposed of.

(Sushil Kukreja)
Judge

November 04, 2025

(V.Himalvi)