

National Insurance Co. vs. Manjeet Kaur & others

FAO No.80 of 2023

14.12.2023 Present: Mr. Bhupender Pathania, Advocate, for the appellant/non-applicant.

Mr. Atharv Sharma, Advocate, for respondent/applicant.

CMP No.18296 of 2023

By way of this application filed under Order 32, Rule 12 read with Section 151 of the Code of Civil Procedure, applicant/respondent No.2 has prayed that as she has attained the age of majority, in these circumstances, next friend of the applicant, who was pursuing the case on her behalf, in her capacity as mother and natural guardian, be discharged and applicant/respondent No.2 be permitted to pursue the case in her own capacity. In support of the prayer made in the application, copy of matriculation certificate of the applicant/respondent No.2, namely Gaganpreet Kaur, has been annexed, a perusal of which shows that she has attained the age of majority.

No reply to the application is intended to be filed to the application.

After hearing learned counsel for applicant/respondent No.2, the application is allowed and mother of applicant/respondent No.2 is discharged as guardian of applicant/respondent No.2 and she is permitted to pursue her case in her own capacity. The

application stands disposed of.

CMP No.18297 of 2023

This is a pending matter.

By way of this application, a prayer has been made for release of 50% of the award amount, which stands deposited by the appellant in the Registry of this Court.

Having heard learned counsel for the parties, this application is allowed and 50% of the amount falling to the share of the applicant, is directed to be released in her favour, with the condition that in the event of the appeal being decided against the applicant, the amount so released, shall be refunded alongwith simple interest at such rate as may be prevailing at the time when the appeal is decided. The amount be remitted directly into the bank account, details of which are given alongwith the application. Application stands disposed of.

(Ajay Mohan Goel)
Judge

December 14, 2023
(Rishi)