

NIC Ltd. Vs. Suman & Anr.

FAO No. 288/2025

04.05.2026 Present: Mr. Ishan Sharma, Advocate, for the appellant.

Mr. Jagat Pal, Advocate, for respondent No. 1.

CMP No. 428/2026

The present application under Section 151 CPC has been filed on behalf of applicant/respondent No. 1, Suman, for release of the award amount lying deposited before the Commissioner under Employee's Compensation, Court No. 1, Shimla, District Shimla, H.P. As per the applicant, she needs money to meet out her day to day expenses as well as for medical expenses. The application is duly supported by an affidavit of the applicant.

No reply to the application has been filed, however, 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.

Heard. Having perused the averments made in the application, which is duly supported by an affidavit of the applicant, this Court finds it in the interest of justice to release 30% of the awarded amount, in favour of

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applicant/respondent No. 1, Suman, as per her share, lying deposited before the Commissioner under Employee's Compensation, Court No. 1, Shimla, District Shimla, H.P., alongwith up-to-date interest, after proper verification and identification, by remitting the same to her bank account, details whereof have been mentioned in para-4 of the application. Ordered accordingly.

However, release of amount would be subject to final outcome of the appeal and in the event of appeal being allowed, the applicant/claimant will have to refund the amount, so released, with interest @ 6% per annum.

The application stands disposed of.

(Sushil Kukreja)
Judge

4th May, 2026
(raman)