

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2504/2022

The Oriental Insurance Company Ltd.

----Appellant

Versus

Smt. Beena W/o Late Shri Suresh Kumar Bhati

----Respondent

For Appellant(s) : Mr. Amit Sharma, Adv.

For Respondent(s) : Mr. Jai Prakash Gupta, Adv.

HON'BLE MR. JUSTICE NARENDRA SINGH DHADDHA

Order

01/11/2023

Matter comes up on an application (I.A. No.01/2023) under Section 151 CPC for disbursement of the amount deposited by the Insurance Company before the Workman Compensation Commissioner and Labour Court, Ajmer in pursuance of the order dated 28.09.2022 passed by this Court.

Having heard the learned counsel for the parties and taking into consideration the facts and circumstances of the case, it is directed that out of the entire amount of compensation so deposited by the appellant pursuant to the order dated 28.09.2022 passed by this Court, the respondents claimants shall be at liberty to withdraw 50% of the said amount on their furnishing an undertaking on oath to the effect that if the appellant ultimately succeeds in the appeal, the said amount shall be refunded by them alongwith interest @ 12% per annum from the date of withdrawal till refund. Remaining 50% of the award amount be invested in FDR of a Nationalised Bank initially for a period of one year which shall be renewed from time to time.

Office is directed to send the record to the Commissioner for disbursement of the amount with a direction to the Commissioner to send the record back to this Court after disbursement of the amount.

The order dated 28.09.2022 is modified to the aforesaid extent.

The application (I.A. No.01/2023) stands disposed of accordingly.

(NARENDRA SINGH DHADDHA),J