

ITEM NO.2

COURT NO.3

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).14924/2009

(From the judgement and order dated 03/03/2009 in FA No.820/2009 of the HIGH COURT OF GUJARAT AT AHMEDABAD)

NEW INDIA ASSURANCE CO.LTD.

Petitioner(s)

VERSUS

SUMANDEVI & ORS.

Respondent(s)

(Office Report for directions)

Date: 13/02/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s) Ms. Manjeet Chawla,Adv.

For Respondent(s) Mr. A.K. De,Adv.
Mr. V.N. Raghupathy,Adv.
Mr. Rajesh Dwivedi,Adv.

Mr. Debasis Mishra,Adv.

UPON hearing counsel the Court made the following
O R D E R

Learned counsel appearing on behalf of the respondents-claimants submits that the New India Insurance Company has deposited the amount, as awarded by the Motor Accident Claims Tribunal, with the Registrar of this Court. He further submits that a list of the heirs of the deceased Bhupendrakumar is given at Page 28 of the SLP (Annexure-P-2).

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In the peculiar facts and circumstances of this case, we direct the Registry that out of the amount deposited in this Court with interest accrued thereon till date, 40% of the amount be paid to Sumandevi, widow of deceased Bhupendrakumar, 20% to Swarupdevi, mother of the deceased Bhupendrakumar and 20% to each of the minor children Rohitkumar and Dimplekumari. The amount to be paid to the minor children be deposited in their names in long term FDR in any nationalised bank so that they may withdraw the same after they attain majority. However, they would be permitted to withdraw the interest part of the FDR on the request of Sumandevi, mother of the minor children.

The money be given to the claimants by bank drafts

after proper verification, within two weeks.
The office report is ordered accordingly.

(A.S. BISHT)
COURT MASTER

(INDU SATIJA)
COURT MASTER