ITEM NO.1704 COURT NO.3 SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA 23672/2021, in Miscellaneous Application No. 1166/2020 in MA 2315/2018 in C.A. No. 3883/2007

NATIONAL INSURANCE COMPANY LTD. Petitioner(s)

VERSUS

HINDUSTAN SAFETY GLASS WORKS LTD. Respondent(s)

(SUITOR'S FUND MATTER OFFICE REPORT FOR DIRECTIONS IA No. 23672/2021 - PERMISSION FOR WITHDRAWAL OF AMOUNT)

WITH
MA 1167/2020 in MA 29/2019 in C.A. No. 1156/2008 (XVII-A)
(IA No.20771/2023-Application for withdrawal of suitor's fund)
(FOR ADMISSION)
Date : 09-10-2023 These matters were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE S.V.N. BHATTI
[IN CHAMBER]

For Petitioner(s) Mr. Pramod Dayal, AOR

For Respondent(s) Mr. Suman Jyoti Khaitan, AOR
Mr. Vikas Kumar, Adv.

Mr. Vishnu Mehra, Adv.
Ms. Manjeet Chawla, AOR
Mr. Noor Alam, Adv.
Mr S.M. Suri, Adv.
Ms. Usha Pant Kukreti, Adv.

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

Miscellaneous Application No. 1166/2020 in MA 2315/2018 in C.A. No. 3883/2007 & MA 1167/2020 in MA 29/2019 in C.A. No. 1156/2008

Signature Not Verified
Digitally signed by Indu Marwah
Date: 2023.10.10 17:00:20 IST
Reason:

The respondents in Civil Appeal Nos. 3883/2007 & 1156/2008 are the applicants.

The applicants pray for an order to withdraw the amount of Rs.50,000/- in both the appeals deposited by the National Insurance Company Ltd./ the appellant at the time of filing the appeals.

By the judgment dated 07.04.2017, the appeals stood dismissed. The respondents, therefore, pray for an order to permit them to withdraw the Suitor's Fund.

My attention is drawn to the applicable Rules. On perusal of the judgment dated 07.04.2017, I notice that the judgment does not specifically refer to the suitor's amount in any way.

Having taken note of the dispute and the outcome of appeals, I am satisfied that the amounts deposited by the National Insurance Company Ltd.- the appellant, could be directed to be disbursed to the applicants in the present applications. The applications are allowed accordingly.

(INDU MARWAH
COURT MASTER (SH)

(RAM SUBHAG SINGH)
COURT MASTER (NSH)