

Party Name : Smt. Baijayanti Debbarma (biswas) & 2 Ors Vs The Oriental Ins. Co.ltd & Anr

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THE HONBLE MR JUSTICE U. B. SAHA

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The instant application is filed by the claimant respondent-petitioner, namely, (1) Smt. Baijayanti Debbarma (Biswas), (2) Smt. Puspa Rani Biswas and (3) Shri Khudiram Biswas, for allowing them to withdraw the amount of Rs.2,85,800/- deposited by the appellant Insurance Company with the Registry of this Court. Heard Mr. H.K. Bhowmik, learned counsel appearing for the claimant-respondent petitioners as well as Mr. P. Gautam, learned counsel appearing on behalf of the appellant Insurance Company who has no objection to the prayer for withdrawal subject to furnishing the indemnity bond and proper identification. This court has gone through the contention made in the instant petition as well as submission of the learned counsel for the parties. Considering the entire facts and circumstances, the claimant petitioners are allowed to withdraw the deposited amount subject to furnishing of an indemnity bond as well as proper identification. Accordingly, Registry is directed to release the aforesaid amount in favour of the claimant respondent petitioners as per their respective share on furnishing the indemnity bond and proper identification and also following the necessary procedure. The entire exercise may be completed within two weeks. With the aforesaid order, the instant C.M. application is disposed of. A copy of this order be furnished to the learned counsel for the claimant respondent petitioners.