

SUPREME COURT OF INDIA

Oriental Insurance Company Ltd.

Vs.

Kajal

C.A.No.6621 of 2008

(Tarun Chatterjee and Aftab Alam JJ.)

11.11.2008

ORDER

1. Leave granted.

2. These appeals are directed against interim orders dated 16th of February, 2006 in FAFO Nos.397 of 2006 and 396 of 2007 and dated 25th of January, 2006 in FAFO No.178 of 2006 by which a Division Bench of the High Court of Judicature at Allahabad had passed the following order :- C.A.No.6621/2008 @ S.L.P.)No.6919/2006 & C.A.No.6622/2008 @ S.L.P.) No.7653 of 2006 -

“The entire amount awarded by the claim tribunal be deposited with the claim tribunal within two months and the same may be withdrawn by the claimant respondents. The statutory deposit made before this court be remitted to the claim tribunal within a period of three weeks and the same may be taken into account.”

C.A.No.6623/2008 @ S.L.P.)No.7654 of 2006 - "Until further orders of this court, execution shall remain stayed, provided the appellant deposits entire awarded amount with the tribunal within three months from today, out of which an amount of Rs.1,50,000/ shall be given to the claimant respondents without any security and the balance amount be deposited by the Tribunal in any Nationalised Bank in an interest bearing account.

The statutory deposit made before this court be remitted to the Tribunal within three weeks from today, which shall be adjusted towards the deposit to be made by the appellant.”

3. Having heard the learned counsel for the parties and considered the impugned orders, we are of the view that the impugned orders may be modified only to the extent that the claimant respondents would only be entitled to withdraw the amount awarded by the claim tribunal if the claimant respondents furnish a security for the entire amount to the satisfaction of the claim tribunal.

4. With the above modifications, the appeals are disposed of. There will be no order as to costs.