

Gopal Chand Singhal Vs. Bhambhal and ors.

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SooperKanoon Citation : sooperkanoon.com/771249

Court : Rajasthan

Decided On : Jan-07-2005

Reported in : II(2005)ACC554

Judge : Dalip Singh, J.

Appellant : Gopal Chand Singhal

Respondent : Bhambhal and ors.

Judgement :

Dalip Singh, J.

1. This misc. application has been filed on behalf of the applicant-appellant in SBCMA No. 311 /1994 which was decided by this Court vide order dated 24.11.1997 partly allowing the appeal.

2. In this application, the applicant-appellant has prayed that at the time of filing of the aforesaid appeal an amount of Rs. 15,125/- was deposited in the Court on 13.1.1994 vide Challan No. PRR 67 and the copy of which has been placed on record. Learned Senior Counsel for the applicant-appellant submits that in view of the fact that the appeal was allowed and the award passed by the Tribunal has been satisfied by the Insurance Company, the amount of Rs. 15,125/- deposited by the appellant may be ordered to be refunded to the applicant-appellant.

3. A notice of the aforesaid application was issued to the respondents including the Insurance Company.

4. Learned Senior Counsel for the applicant-appellant has drawn my attention to the letter of the Insurance Company dated 27.1.2000 wherein the Insurance Company has stated that the amount in pursuance of the order dated 24.11.1997 passed in the appeal by this Court has been complied with and the award stands satisfied by the payment made by the Insurance Company.

5. No one has put in appearance on behalf of the respondents to oppose the aforesaid application today despite service. In this view of the matter, the prayer made by the applicant-appellant made in the application is allowed. The amount of Rs. 15,125/- deposited by the applicant-appellant is ordered to be refunded. The Deputy Registrar (Judl.) shall do the needful for necessary sanction for the payment of the aforesaid amount.

Accordingly, the application stands disposed of.

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