

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3989 OF 2015
IN
FIRST APPEAL ST. NO.15917 OF 2015

Smt.Vanita Sharad Waghmare & Ors. ... Applicants

IN THE MATTER BETWEEN

The New India Assurance Co.Ltd. ... Appellant

Vs.

Smt.Vanita Sharad Waghmare & Ors. ... Respondents

Mr.M.B. Deshmukh for Applicants
Mr.S.M. Dange for the Appellant

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **4th DECEMBER, 2015**

P.C.:

This civil application is moved for withdrawal of the decretal amount alongwith interest deposited by the Insurance Company with the learned Commissioner for Employees' Compensation and Judge, Labour Court, Sangli.

2. The learned Counsel for the applicants submits that the applicant No.1 is a widow and she has four minor children. The father and mother are also the other applicants and dependents.

3. Learned Counsel for the insurance Company has opposed the application. He submitted that the deceased was working as a cleaner and sugarcane cutter with respondent No.2, the owner of the truck.
4. Considering facts of the case, an amount of Rs.6 lakhs out of the total amount of Rs.11,57,473, deposited by the insurance company, is allowed to be withdrawn by the applicant Nos.1, 6 and 7. Accordingly, applicant No.1 Vanita is allowed to withdraw Rs.4 lacs for her and on behalf of her four minor children and the applicant Nos.6 and 7 i.e., the father and mother, are allowed to withdraw Rs.1 lakh each. The remaining amount shall be invested in a fixed deposit of any nationalised bank.
5. Civil Application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)