

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2794 OF 2015
IN
FIRST APPEAL (ST.) NO. 9053 OF 2010

Sammerazma Rafique Khan & Anr. ... Applicants
VS.
The New India Assurance Co. Ltd. ... Respondent

Mr. Rahul Mehta i/b. KMC Legal Venture, Advocate for the applicants.
Mr. Ramesh K. Cheulkar, Advocate for the respondent.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **AUGUST 28, 2015**

P.C.:

This Application is moved for withdrawal of the entire amount deposited by the respondent/original appellant in the proceedings under Workmen Compensation Act. The amount of the award is Rs.5,24,328/-.

2. The learned counsel for the respondent/insurance company submitted that the respondent/insurance company has deposited Rs.5,91,307/-.

3. The learned counsel for the applicants submitted that the applicants have not received any amount till today and the accident took place in the year 2006.

4. In view of this, the applicants are allowed to withdraw 70% of the amount deposited by the respondent/insurance company. Remaining 30% of the amount is to be invested in the fixed deposit in any nationalized bank.
5. The Civil Application is disposed of.
6. Leave granted to amend the First Appeal.
7. Place the First Appeal for admission on 25th September, 2015.

(MRS.MRIDULA BHATKAR, J.)