

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

74 CIVIL APPLICATION NO. 15340 OF 2015
IN FAST/34368/2015 WITH CA/2041/2016 IN FAST/34368/2015
WITH CA/15341/2015 IN FAST/34368/2015

THE ORIENTAL INSURANCE CO. LTD.
VERSUS
KRUSHNA KASHINATH GANVIR AND OTHERS

...
Advocate for Applicant : Deshpande Dhananjay P.
Advocate for Respondent Nos. 1 and 2 : P.S. Agrawal

...
81 CIVIL APPLICATION NO. 15338 OF 2015
IN FAST/34365/2015 WITH CA/2060/2016 IN FAST/34365/2015
WITH CA/15339/2015 IN FAST/34365/2015

THE ORIENTAL INSURANCE CO. LTD.
VERSUS
VAISHALI VINODRAO DESHMUKH AND OTHERS

...
Advocate for Applicant : Deshpande Dhananjay P.
Advocate for Respondent Nos. 1 to 5 : P.S. Agrawal

...
82 CIVIL APPLICATION NO. 15343 OF 2015
IN FAST/34362/2015 WITH CA/2042/2016 IN FAST/34362/2015
WITH CA/15344/2015 IN FAST/34362/2015

THE ORIENTAL INSURANCE CO. LTD.
VERSUS
ARUNA PRAMOD BHADADE AND OTHERS

...
Advocate for Applicant : Deshpande Dhananjay P.
Advocate for Respondent Nos. 1 to 4 : P.S. Agrawal

...
CORAM : T.V. NALAWADE, J.
DATED : 22nd February, 2016.

ORDER :

1. Registrar Judicial is to see that notices are sent to the concerned having jurisdiction over unserved respondent for

service, made returnable on 6.6.2016.

2. In applications filed for permission to withdraw the amount, heard the learned counsel for original claimants, learned counsel for Insurance Company and learned counsel for so called contractor. Insurance Company has strong objection. It was submitted for Insurance Company that in view of the contents of the policy document, the liability was limited as the annual income of the labour was shown as Rs. 15,000/-. One learned counsel appearing, submitted that he is filing appearance. He submits that public notice was given against him in a proceeding which was pending before Commissioner and he has no knowledge of such proceeding. He submitted that he wants to deny the relationship between the deceased and employer. He wants to contend that he has never employed the deceased as employee and he was not the contractor of the principle employer. It appears that the party who has represented by advocate was insured by the Insurance Company.

3. This Court has gone through the record. In view of the contents of the application and submissions made, this Court holds that permission needs to be granted to withdraw 50%

amount along with interest subject to giving undertaking.
Accordingly applications are allowed and disposed of.

[T.V. NALAWADE, J.]

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