

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1633 OF 2014
IN
FIRST APPEAL NO. 923 OF 2007

1. Shri. Shivaji Bapu Dhapate and anr.Applicants
(Orig.Respondent in FA)

V/S.

1. Shri. Pandurang Hari Navaghane and anr.Respondents
(Resp.no.1 Orig.Appellant in
FA)

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Mr. Vinod Sangvikar, Advocate for the applicants.

Mr. Wasim Samlewale i/by. Mr. U.R. Manakapure, Advocate for
respondent no.1.

Coram :- Smt. R.P. SondurBaldota, J.

16th March, 2016.

P.C. :-

1). This Civil Application is for liberty to withdraw the amount of compensation deposited by respondent no.2, Insurance Company in this Court, at the time of admission of the First Appeal. The applicants have been awarded compensation under the Workmen's Compensation Act in the sum of Rs.4,36,940/- with interest at the rate of 12% p.a. from 4th August, 2001 towards compensation for death of their son in a motor

vehicle accident in the course of his employment.

2). Heard the Advocates.

3). Perused the proceedings. The applicants have described their medical and financial difficulties at paras-5, 6 and 7 of the application. Considering the difficulties, the application is allowed in terms of prayer clause (b) on condition that the applicants file an Undertaking in writing in this Court, that in the event of respondent no.2 succeeding in the appeal, they shall bring back the amount. The applicants will also be entitled to receive also the interest accrued on the amount deposited.

(SMT. R.P. SONDURBALDOTA, J)