

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Civil Application NO. 2714 OF 2016

IN

First Appeal NO. 562 OF 2016

Smt. Kamal Genu Gaidhani And Ors.

...Applicants

In the matter between

The Oriental Insurance Co. Ltd. Thr. Divisional
Manager Th. Motor Third Party Claim Hub

...Appellant

vs.

1.Smt. Kamal Genu Gaidhani And Ors.

...Respondents

*Mr.Devendra S.Joshi, for the Appellant.**Mr.Yogendra Pendse, for the Respondents.*----
CORAM : G.S.KULKARNI, J.**DATE : 7th DECEMBER, 2016.**
---**P.C. :**

1. Not on board taken on board on a praecipe as moved on behalf of the Applicant-Respondent.
2. Heard the learned Counsel for the Applicants and the learned Counsel for the Respondent-Insurance company.
3. By this Civil Application, the Applicants pray for withdrawal of 50% of the amount deposited by the Respondent-Insurance Company

before the First Labour Court, Nashik in Application WC(F) No.54 of 2008.

4. Considering that Applicant Nos.4 and 5 are senior citizens and it is stated that Respondent No.1 is ailing and he has heart ailment, interest of justice would be served if the Applicants are permitted to withdraw an amount of Rs.1,75,000/- (Rupees One lakh Seventy Five thousand only) from the amount which is deposited by the Respondent – Insurance Company before the First Labour Court at Nashik. The amount is permitted to be withdrawn subject to usual undertaking to file by the Applicants within a period of two weeks from today.

5. Civil Application is accordingly disposed of with liberty.

[G.S.KULKARNI, J.]