

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 4191 OF 2017
IN FAST/35072/2015 WITH CA/15557/2015 IN FAST/35072/2015 WITH
CA/15558/2015 IN FAST/35072/2015

SHAIKH IBRAHIM SHAIKH ISMAIL
VERSUS
BALAJI DIGAMBER GUTTE AND ANR

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Advocate for Applicant : Shri M.V. Ghatge
AGP for Respondents: Shri S.S.Dande.

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CORAM: V.K. JADHAV, J.
DATE :- 07th April, 2017

Per Court:

1 The learned counsel for the Applicant submits that the original Respondent has not denied the employer-employee relationship and it is matter of record that the Respondent No.2/ Public Works Department is the Principal Employer. The learned counsel submits that though the Respondent No.2/ PWD has preferred the appeal against the judgment and award passed by the Commissioner for Workmen Compensation and Judge, Labour Court, Nanded, it only deposited 50% of the amount awarded by the Commissioner.

2 In view of the above submissions, the Applicant is permitted to withdraw the entire amount deposited before the Commissioner on furnishing an undertaking to the satisfaction of the Commissioner.

3 The Civil Application for withdrawal is allowed and accordingly, disposed of.

(V.K. JADHAV, J.)