

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

973 CIVIL APPLICATION NO. 7476 OF 2017  
IN FAST/2244/2017 WITH CA/1758/2017 IN FAST/2244/2017

SHAIKH FARIDA AALTAF AND ORS  
VERSUS  
MRS. K. SUKANTHI N.S. KUMAR AND ANR

...  
Advocate for Applicants : Mr. Barlota Ambar S.  
Advocate for Respondents : Mr. S.S. Wagh h/f Mr. A.S. Deshpande  
.....

**CORAM : V. K. JADHAV, J.**  
**DATED : 23<sup>rd</sup> JUNE, 2017**

**PER COURT:-**

1. Heard both sides. Considering the challenge made to the judgment and award passed by the Tribunal and considering the fact that the bread winner of the family met with an accidental death, the applicants original claimants are permitted to withdraw 50% amount out of the amount deposited in this Court on furnishing undertaking to the satisfaction of Registrar (Judicial) of this Court. Civil application is disposed of.

2. So far as civil application for delay is concerned, heard both sides. Through respondent No.4 is duly served, none appears for him. For the reasons stated in the civil application, delay caused in filing first appeal is hereby condoned. Civil application is allowed and disposed of.

3. In first appeal, issue notice to the respondents, returnable on 04.08.2017. Learned counsel waives notice for respondents-original claimants. Call for record and proceedings.

**( V. K. JADHAV, J.)**

rlj/