

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

89 CIVIL APPLICATION NO. 11860 OF 2017
IN FA/2501/2013 WITH CA/12569/2013 IN FA/2501/2013

SANJAY BHANUDAS KOTHARE

VERSUS

THE MAHARASHTRA STATE CO-OPERATIVE COTTON GROWERS
MARKETING FEDERATION, THR ITS ZONAL MANAGER, NANDED

...

Advocate for Applicant : Mr Nagarkar Kiran M.

Advocate for Respondent : Mr. S. T. Shelke

CORAM : K. L. WADANE, J.

DATE : 9th October, 2017

ORDER:

1. Heard learned counsel for the applicants as well as learned counsel for the respondent Insurance company.

2. This is an application filed by the applicants claimants for withdrawal of the amount of compensation deposited by the respondent.

3. Mr. Shelke, the learned counsel appearing for the respondent has opposed the application on the ground that there was no satisfactory evidence to show that the applicant was in the employment of the respondent Federation. At present, the award is in favour of the applicant/claimants.

4. In view of the above, looking rival contention

of the parties, I am of the opinion that at least 50% of the amount deposited in the court can be permitted to withdrawn.

5. The applicant is allowed to withdraw 50% of the amount deposited in this Court together with proportionate accrued interest on furnishing undertaking that in the event of adverse order passed in the appeal, they will redeposit the entire amount so withdrawn within a period of 12 weeks.

6. Remaining 50% amount shall be invested in fixed deposit initially for a period of 13 months in any nationalized Bank and shall be renewed thereafter as per directions of the Court.

7. Civil Application disposed of.

(K. L. WADANE, J.)

JPC