

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

944 CIVIL APPLICATION NO. 10682 OF 2017
IN FAST/17248/2017

MANISHA SANDIP KAPSE AND ORS

VERSUS

THE CHAIRMAN, LOKMANGAL SAHAKARI SAKHAR KARKHANA,
BHANDARKAVATHE AND ORS

...

Advocate for Applicants : MR. Choudhari Sushant B
Advocate for Respondent No. 2 : Mr. A. R. Joshi And V.
P. Golewar.

CORAM : K. L. WADANE, J.

DATE : 11th October, 2017

ORDER:

1. This is an application for withdrawal of amount of compensation deposited by the respondents No. 1 and 2 before the learned Trial Court.

2. The application is opposed on the ground that the deceased died due to snake bite and he was not in the employment of respondents No. 1 and 2.

3. I have perused the reasons recorded by the learned Trial Court. On perusal of the same, prima-facie it appears that the deceased was in the employment of the respondents No. 1 and 2, got snake bite, therefore he was referred to the hospital and on 4th day he died. So apparently it is seen that at the time of snake bite the deceased was in the employment

of the respondents No. 1 and 2.

4. In view of the above, at least 75 % amount can be paid to the applicants.

5. Civil application is allowed.

6. The applicants are permitted to withdraw 75 % amount of compensation on undertaking that in case adverse orders are passed against them, they shall deposit the amount within a period of 12 weeks from the date of order.

7. Remaining 25 % amount shall be invested in fixed deposit receipt in Nationalized Bank initially for a period of 13 months and shall be renewed thereafter from time to time as per the orders of this Court.

8. Civil Application is disposed of.

(K. L. WADANE, J.)

mkd