

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1532 OF 2015
IN
FIRST APEAL NO.301 OF 2011
with
FIRST APEAL NO.301 OF 2011

Jayshree D. Telange & Ors. ... Applicants

IN THE MATTER OF:

New India Assurance Co. Ltd. ... Appellant

Vs.

Jayshree D. Telange & Ors. ... Respondents

Mr.A.M. Gokhale for the Applicants
Mr.R.K. Cheulkar for Appellant in FA.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **NOVEMBER 21, 2017**

P.C.:

1. Upon urgent mentioning, taken on Production Board.
2. This application is filed for withdrawal of the amount deposited by the appellant insurance company. The learned Commissioner for Workmen's Compensation / Judge, Labour Court, Mahad vide his order dated 14.7.2010 in WCA No.129/B-26 of 2006, had ordered to pay a compensation of Rs.3,19,600/- with interest @ 12 % p.a. Earlier, by order dated 23.11.2010, respondent No.1 was allowed to withdraw Rs.40,000/-.

3. The Insurance company has filed the appeal against the said judgment and order and it is submitted that it has a good case on merits.

4. It is a death claim filed by the widow and her children. In view of this, the claimants are allowed to withdraw 50% of the amount, as per their entitlement, alongwith interest accrued thereon, upon furnishing usual undertaking before the learned Commissioner for Workmen's Compensation.

5. By consent of the parties, this matter needs to be sent before the Lok Adalat and accordingly, the parties are directed to approach the Maharashtra State Legal Services Authority and take necessary steps.

6. Civil Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)