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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2754 OF 2017
IN
FIRST APPEAL NO.689 OF 2015

Gunwanta K. Wankhade & Ors. ...Applicants

IN THE MATTER BETWEEN :

The New India Assurance Co. Ltd. ...Appellant

V/s.

Gunwanta K. Wankhade & Ors. ...Respondents

Mr.Sudhakar Pandaram i/b Mr.Milind V. More for the Appellant in FA.

Mr.T.J. Mendan for the Applicants in CAF No.2754 of 2017 and for Respondent Nos.1 to 4 in FA.

CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 12TH SEPTEMBER, 2017.

P.C. :-

1. Not on board. Upon mentioning, taken on board.
2. The application is moved for withdrawal of the amount which was awarded by the judgment and award dated 27th March, 2015 passed by the Commissioner for Workmen's Compensation and Judge, 9th Labour Court at Mumbai, amounting to Rs.9,05,520/- along with interest at the rate of 12% p.a. from 7th March, 2012.

3. Learned counsel for the Insurance Company submits that the entire decretal amount along with interest accrued thereon is deposited.
4. Learned counsel for the original applicants submits that it is a death claim. The claimants / applicants have not received any amount.
5. In view of the submissions, the applicant nos.1, 3 and 4 are allowed to withdraw the amount of Rs.1,00,000/- each and the applicant no.2 – mother is allowed to withdraw the amount of Rs.2,0,000/- with usual undertaking of repayment before the Commissioner for Workmen's Compensation and Judge, 9th Labour Court at Mumbai,
6. The civil application is accordingly disposed of.

(MRS.MRIDULA BHATKAR, J.)