

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

**1036 CIVIL APPLICATION NO.8314 OF 2019
IN FA/1315/2019**

**VILAS SANDEEP SINGARE AND RS
VERSUS
HDFC ERGO GENERAL INSURANCE CO. LTD., THROUGH ITS BRANCH
MANAGER/AUTHORIZED SIGNATORY**

...
Advocate for Applicants : Mr. Kulkarni Sudhir V.
Advocate for Respondent No.1 : Mr. S. G. Chapalgaonkar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 19th JULY 2019

ORDER :

. Present application has been filed for withdrawal of the amount. Amount of Rs.8,41,214/- has been deposited with the Commissioner for Employees' Compensation. Learned Advocate appearing for respondent No.1 submits that the appeal has been filed on the ground that though the deceased had expired due to heart attack which cannot be said to be arising out of the employment, yet the Insurance Company has been made liable to pay the compensation. So also, the company is challenging the quantum.

2. Taking into consideration the fact that the competent Court has granted compensation, case is made out for partial withdrawal of

the amount. Applicant Nos.1, 2 and 3 are allowed to withdraw amount of Rs.75,000/- each subject to giving undertaking that they would make the said amount good, if directed at the time of final disposal of the appeal.

3. Civil Application stands disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/