

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

34 CIVIL APPLICATION NO.10369 OF 2018
IN FA/2217/2018 WITH CA/5927/2018 IN FA/2217/2018

WAJIR DASTAGIR SHAIKH
VERSUS
NATIONAL INSURANCE CO. LTD., THR ITS DIV. OFFICE
AURANGABAD AND ANR

...
Advocate for Applicant : Shri Fayaz K.Patel
Advocate for Respondent No.1 : Shri M. M. Ambhore

...
CORAM : P.R. BORA, J.
Date: January 14, 2019

...
PER COURT :-

1 Heard learned Counsel for the applicant and learned Counsel appearing for the respondent Insurance Company.

2 For the reasons stated in the application and after considering grounds raised in exception to the impugned award, I am inclined to partly allow the application. Hence, the following order:

ORDER

I) The Commissioner for Employee's Compensation at Latur, shall permit the applicant i.e. original claimant to withdraw 50% of the deposited amount on submitting an undertaking to its satisfaction.

II) Balance 50% of the deposited amount be invested in the Fixed Deposit Receipt in any Nationalized Bank for the period till disposal of the appeal.

(P.R. BORA, J.)