

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

C.A.F. No.272 of 2019 in F.A.St.No.22697 of 2018
(Oriental Insurance Co. Ltd. vs. Baban Purushottam Pawar and Ors.)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

*Ms Anita Mategaonkar, Advocate for the appellant/
applicant.*
Mr.U.P.Dable, Advocate for respondent nos. 1 to 3.
Mr.S.O.Ahmed, Advocate for respondent no.5.

CORAM : N. W. SAMBRE, J.

DATE : 26.9.2019.

Heard.

The only contention which is sought to be canvassed by learned Counsel for the appellant/Insurance Company is that the major sons though were not dependent were awarded compensation, which is not sustainable.

Once the appellant denied the fact that the major sons were not dependent, it was for the appellant to prove the same, which the appellant has failed to prove. That being so, no case for interference is made out. The appeal fails. Hence, the same is dismissed.

As far as the amount of compensation deposited in this Court is concerned, it shall be open for the respondents/claimants to withdraw the same after the appeal period is over.

JUDGE