

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

**CIVIL APPLICATION NO. 2905 OF 2021
IN
FIRST APPEAL (ST) NO. 12820 OF 2020**

Anusaya w/o Dnyaneshwar Aadje and others ... Applicants

Versus

Gajanan Pralhad Sejule and another ... Respondents

....

Mr. S. N. Janakwade, Advocate for the applicants

Mr. A. B. Gatne, Advocate for respondent No.2.

....

CORAM : R. G. AVACHAT, J.

DATED : 02nd MARCH, 2021

PER COURT :-

. Heard.

2. The respondent No.2-insurer has deposited the amount of Rs.32,09,901/- before this Court in response to the award passed by the Tribunal. The applicants-original claimants have filed this civil application for withdrawal of the said amount.

3. Learned counsel for the applicants-original claimants submits that applicant No.1 is the widow of deceased Dnyaneshwar, applicant Nos. 2 and 3 are the parents and applicant No.1 is minor son. The deceased was earning member of the family.

4. Learned Advocate for the respondent No.2 – insurance company opposed to grant the application.

5. Perused the impugned award.

Since the breadwinner of the family is no more, it would be desirable to allow the applicants to withdraw 75% of the amount of compensation deposited in this Court, equally. The tribunal has not made apportionment of the amount of compensation.

6. Out of the amount of compensation deposited in this Court, 75% amount be paid equally to all the applicants on their furnishing usual undertaking to the satisfaction of the Registrar (Judicial) of this Court. The applicant No.1 shall furnish undertaking on behalf of her minor son (applicant No.4). The amount payable to applicant No.4 be paid to applicant No.1.

7. Civil application is accordingly disposed of.

[R. G. AVACHAT, J.]

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