

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2983 OF 2019

IN

FIRST APPEAL [STAMP] NO.27130 OF 2016

Ananda Pandurang More] Applicant

vs.

Shriram General Insurance Co. Ltd.]

and another.] Respondents

IN THE MATTER BETWEEN:

Shriram General Insurance Co. Ltd.] Appellant

Vs.

Ananda Pandurang More and another.] Respondents

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Mr. Akshay A. Kulkarni i/b Mr. Akshay P. Shinde, for Applicant in C.A. No.2983 of 2019.

Ms. Poonam Mital i/b KMC Legal Venture, for Respondents.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 4th FEBRUARY. 2021.

P.C.

1. This is an application for withdrawal of the amount of compensation awarded by the Commissioner for Employee's Compensation and Judge, Labour Court, Kolhapur in Application (W.C.A) No.29/C-10 of 2013

2. Heard Mr. Kulkarni, learned Counsel for the applicant and Ms. Mital, learned Counsel for respondent-insurer.

3. For the reasons stated in paragraph 7 of the application, the applicant is permitted to withdraw 50% of the amount deposited by the respondent-insurer with the office of the Commissioner for Employees' Compensation and Judge, Labour Court, Kolhapur, upon furnishing an undertaking within one week that if the respondent-insurer succeeds in the appeal, he will return the amount with interest at such rate as would be directed by this Court, depending upon the outcome of the first appeal.

4. If the applicant does not file an undertaking within the aforesaid period, the amount deposited by the respondent-insurer shall be invested by the office of the Commissioner for Employees' Compensation and Judge, Labour Court, Kolhapur, in the fixed deposit of a Nationalized Bank for a period of one year and thereafter for one more year again after obtaining order from this Court.

5. If 50% amount is withdrawn by the applicant, balance amount shall be invested by the office of the Commissioner for Employees' Compensation and Judge, Labour Court, Kolhapur in a fixed deposit as stated above, in a Nationalized Bank.

6. The application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]