

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 2199 OF 2019

IN

FIRST APPEAL(ST)26789 OF 2018

Mufiz @ Mafizuddin Alam Salauddin Ansari]...Applicant.

IN THE MATTER BETWEEN

Medley Pharmaceuticals Ltd.]..Appellant.

Vs.

Mufiz @ Mafizuddin Alam Salauddin Ansari]...Respondent.

....

Miss Rina Kundu for applicant in CAF 2199/2019.

None for respondent/original appellant.

....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 22ND, MARCH 2021.

P.C. :

1. This is an application seeking withdrawal of an amount of compensation awarded by the Commissioner for Employees' Compensation, Thane on 13th July 2018.

2. Heard Miss Rina Kundu, the learned Counsel for the applicant. It is submitted that the applicant had sustained burn injuries while on duty. He sustained superficial to deep burns to left forearm, left hand, right wrist, lumbar region, both thighs. Because of the said injuries, the applicant has suffered permanent disability and he is now in a crippled

condition. He can not hold anything properly by his hands due to burn injuries. He is not in a position to do any job. It has become difficult to meet day to day family expenses.

4. It is submitted that the respondent has been served with a praecipe and application, however, he is absent. My attention is drawn to the order passed by this Court on 15th October 2019 in Civil Application Nos.718 of 2019 with 719 of 2019. It was ordered that by way of indulgence and final opportunity, the matter was adjourned till 24th November 2019 under caption of dismissal.

5. It appears that the appellant is not interested in prosecuting the appeal.

6. Having considered the grounds for withdrawal, the applicant is permitted to withdraw the entire amount with accrued interest.

[PRITHVIRAJ K. CHAVAN, J.]