

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

945 CIVIL APPLICATION NO.6443 OF 2022  
IN FIRST APPEAL STAMP NO.19890 OF 2017

GANGUBAI GOVIND GHODKE & OTHERS  
VERSUS  
THE MANAGER, RAJKAMAL TRANSPORT,  
SECUNDERABAD & ANOTHER

...

Advocate for the applicants : Mr.Apparao Yenegure  
Advocate for Respondent no.1 : Mr.Shoyab Shaikh  
Advocate for Respondent no.2 : Mr.Dhananjay Deshpande

...

**CORAM : S.G.DIGE, J.**  
DATE : 14.06.2022

**P.C. :**

1] Heard the learned counsel for the applicants  
and respondent nos.1 and 2.

2] It is the contention of the learned counsel for  
the applicants that respondent no.1 has preferred an appeal  
challenging the judgment and order dated 9<sup>th</sup> March, 2017  
passed in WCA No.25/2011 by the learned Commissioner  
for Employee's Compensation and Civil Judge Senior  
Division, Osmanabad. Respondent no.1 has deposited the

amount of Rs.12,75,262/- at the time of admission of this Appeal. Applicant no.1 is the widow and applicant nos.2 and 3 are the children of deceased Govind. Applicant no.4 is the father of deceased Govind. The deceased was employee of respondent no.1. Due to untimely death of deceased Govind, the applicants became helpless and put to hardship. The applicants are poor and they were dependent on the income of Govind. They are facing financial crisis for day to day activities. They need amount for education of applicant nos.2 and 3 and for medical treatment of applicant no.4. Hence, requested to allow the present application.

3] The learned counsel for respondent no.1 submits that respondent no.1 has preferred an appeal against the order. Respondent no.1 has chances to succeed in the appeal. Hence, objected to allow the present application.

4] Considering the submissions of the learned counsel for the applicants and respondents, I pass the following order :

**ORDER**

i] This Civil Application is allowed. The applicants are permitted to withdraw 50% amount out of the deposited amount.

ii] Accordingly, Civil Application is disposed of.

**[S.G.DIGE]  
JUDGE**

DDC