

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

**CIVIL APPLICATION NO.14408 of 2022
IN FAST/15003/2022**

**LAXMI VISHNU SHINGADE AND ORS
VERSUS
LATA ANAND SHINDPHALKAR AND ORS**

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Mr. T. M. Venjane, Advocate for the Applicants.
Mr. Manoj D. Shinde, Advocate for Respondent Nos.1
to 3.

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CORAM : S. G. DIGE, J.

DATED : 11th OCTOBER, 2022.

PER COURT:-

1. Heard learned counsel for the applicants and the learned counsel for the respondent nos.1 to 3.

2. The learned counsel for the applicants submits that, the applicant-deceased was Karta of the applicants' family. He was labourer. He died due to electrocution. The respondent nos.1 to 3 has deposited the Award amount before the learned Commissioner. The applicants are facing difficulty in their day to day life. They require the amount for their daily expenses. Hence, requested to allow the application.

3. The learned counsel for respondent nos.1 to 3 submits that, deceased was not employee of respondent nos.1 to 3. The said accident was

caused due to the negligence of respondent no.4 i.e. MSEB. In spite of that, the liability is fixed on respondent nos.1 to 3, which is disputed by these respondents before this Court by way of Appeal. Hence, requested to dismiss the application.

4. I have heard both the learned counsels.

5. Admittedly, death of the deceased caused in the house of respondent nos.1 and 2. The Tribunal has fastened the liability on respondent nos.1 to 3 to pay the compensation. The applicants needed amount for their daily expenses. Hence, I pass the following order:

ORDER

(i) The application is allowed.

(ii) The applicants are permitted to withdraw 50% amount alongwith accrued interest thereon out of deposited Award amount by the respondents on furnishing undertaking.

(iii) The application is disposed of.

(S. G. DIGE)
JUDGE