

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

VAISHALI
ANIL
TIKAM

INTERIM APPLICATION No. 1100 OF 2022
IN
FIRST APPEAL No. 1354 OF 2005

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Sharnabai Kalyani and Ors.

...Applicants

In the matter between

New India Assurance Co. Ltd.

...Appellant

Vs.

Sharnabai Kalyani and Ors.

...Respondents

* * * *

**Ms. Deepti B. Mistry, Advocate for Applicants and for
Respondent Nos. 1 to 4 in FA No. 1354 of 2005**

Coram : Sandeep K. Shinde, J.

Dated: 7th APRIL, 2022.

P.C. :

1. Heard the learned counsel for the Applicants. None appears for the Respondent- New India Assurance Co. Ltd.

2. Applicants were dependents of deceased Shripati Kalyani, who died in the course of his employment, in the year 2001. Thereafter the Commissioner for Workmen's Compensation awarded compensation in the sum of Rs.4,42,740/-. In appeal preferred by the Appellant -New India Assurance Co. Ltd., Respondents- Applicants herein are seeking withdrawal of the

compensation. In consideration of the facts of the case, the Applicants are permitted to withdraw the remaining amount of compensation, against the security to the satisfaction of the Commissioner for Workmen's Compensation, Thane.

4. Interim Application is allowed and disposed of in the aforesaid terms.

(Sandeep K. Shinde, J.)