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C.M.P.No.18066 of 2022

in

C.M.A.No.192 of 2021

R.SUBRAMANIAN, J.

and

SATHI KUMAR SUKUMARA KURUP, J.

The petitioners seek permission to withdraw the amount deposited pursuant to the interim order dated 04.02.2021. While granting stay of execution of the award, this Court had directed the Insurance Company to deposit 50% of the award amount to the credit of the MCOP.No.39 of 2014. The petitioners are the claimants viz., wife and children of the deceased.

2. We find that there is no evidence let in on the part of the Insurance Company and therefore there is no challenge to the award on the ground of negligence and only the quantum of compensation is being disputed. Hence, this petition is allowed, the claimants are permitted to withdraw 50% compensation that has been deposited by the Insurance Company in the same proportion as awarded by the Tribunal.

(R.S.M., J.) (S.S.K., J.)

23.12.2022

dsa



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