

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 CIVIL APPLICATION NO. 5602 OF 2023
IN FIRST APPEAL (ST) NO. 28576 OF 2011

SANGITA JANARDHAN KSHIRSAGAR AND OTHERS
VERSUS
THE NEW INDIA ASSURANCE COMPANY LTD THR THE
BRANCH MANAGER BEED AND ANOTHER

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Mr. C.V. Dharurkar – Advocate for Applicants
Mr. M.M. Ambhore – Advocate for Respondent No.1

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 22nd June, 2023

PER COURT :

1. Heard rival submissions.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the Insurance Company alongwith the interest accrued thereon with learned Commissioner i.e. Civil Judge Senior Division, Beed in Employee Compensation Petition No. 13 of 2010.
3. learned Counsel for the Insurance Company opposed the application on the ground that, there was no employer employee relationship between the deceased and respondent No.6.

4. However, it appears that, this Court vide order dated 8th March, 2013 had already permitted the present applicant No.1 to withdraw the amount of Rs.1,10,000/-. It is to be noted that, no amount to present applicant No.2 to 4 was given since they were minor at the relevant time. Now they have attain majority and some amount is required for their education. In view of the same, only the applicant Nos.2 to 4 are permitted to withdraw an amount of Rs.1,20,000/- out of the balance amount in equal proportion alongwith the proportionate interest accrued thereon till date on furnishing usual undertaking to the satisfaction of concerned Commissioner i.e. Civil Judge Senior Division, Beed.

5. The remaining amount be kept in F.D.R. in any nationalized Bank on yearly renewal basis till final disposal of this appeal.

6. The civil application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE