

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

12 CIVIL APPLICATION NO.10091 OF 2023
IN FIRST APPEAL (ST) NO. 2952 OF 2023
WITH CA/3218/2023 IN FAST/2952/2023
WITH CA/3219/2023 IN FAST/2952/2023

MANGALABAI PRALHAD CHAUDHARI
VERSUS
ICICI LOMBARD GENERAL INSURANCE COMPANY LTD
THROUGH ITS MANAGER AUTHORISED SIGNATORY AND
ANOTHER

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Mr. M.M. Bhokariker – Advocate for Applicant
Mr. S.S. Patil h/f. Mr. R.H. Dahat – Advocate for Respondent
No.1

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CORAM : SANDIPKUMAR C. MORE, J.
DATE : 17th August, 2023

PER COURT :

CIVIL APPLICATION NO.10091 OF 2023

1. Heard rival submissions.
2. The applicant is seeking withdrawal of the entire amount of compensation, which has been deposited by the appellant – Insurance Company alongwith the interest accrued thereon before the concerned learned Commissioner i.e. Labour Court, Jalgaon.

3. Learned Counsel for the Insurance Company strongly opposed the application on the ground that, the learned Commissioner has granted exorbitant amount of compensation.

4. In view of the same and considering the compensation granted by the learned Commissioner, the applicant is permitted to withdraw 75% of the deposited amount of compensation alongwith the proportionate interest accrued thereon till date on furnishing usual undertaking to the satisfaction of learned Labour Court, Jalgaon.

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.

CIVIL APPLICATION NO. 3218 OF 2023

7. The appellant – Insurance Company is seeking condonation of delay of 249 days, which appears to be cause due to obtaining sanctions at various stages. There is no

strong objection from other side and therefore the delay of 249 days stands condoned.

8. The appeal be placed for admission after removal of office objections, if any.

9. The application is accordingly disposed of.

CIVIL APPLICATION NO. 3219 OF 2023

10. Since the appellant – Insurance Company has deposited amounts of compensation as directed in the Court of concerned learned Commissioner i.e. Labour Court, Jalgaon, the application is made absolute in terms of prayer clause ‘B’ and disposed of.

[SANDIPKUMAR C. MORE]
JUDGE