

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

**CIVIL APPLICATION NO.14480 OF 2022 IN
FIRST APPEAL NO. 2486 OF 2022**

Shamim Rajjak Patel & another Applicants

Versus

Shriram General Insurance Co.Ltd. Respondents

Mr.Shaikh Majit S., advocate for the Applicants
Mr. S. S. Rathi, advocate for Respondent No.1.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 20th February, 2023.

PC :

Heard rival submissions.

The applicants-claimants are seeking withdrawal of entire amount of compensation which has been deposited with the learned Commissioner under Employees' Compensation Act and the Labour Judge at Ahmednagar.

The learned Counsel for Respondent No.1- Insurance Company strongly opposed the application on the ground that deceased was not covered under the Insurance policy and that the owner – respondent no.2 had, in fact,

denied the employee-employer relationship before the learned Commissioner.

However, considering the observations of the learned Commissioner, in the impugned judgment, the applicants-claimants, at this stage, are permitted to withdraw 50% of the compensation amount along with proportionate accrued interest thereon by furnishing usual undertaking to the satisfaction of learned Commissioner. The remaining amount be invested in FDR in any Nationalised Bank on yearly renewal basis till final disposal of this appeal.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb