

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

919 CIVIL APPLICATION NO.2863 OF 2023  
IN FAST/32260/2022 WITH CA/718/2023 IN FAST/32260/2022  
WITH CA/719/2023 IN FAST/32260/2022

1. SHAIKH AFSAR S/O SHAIKH ALIM  
VERSUS  
CHOLAMANDALAM MS GENERAL INSURANCE COMPANY  
LIMITED THROUGH ITS BRANCH MANAGER

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Advocate for Applicant : Mr. K. N. Shaikh  
Advocate for Respondent No.1 : Mr. A. G. Choudhari  
Advocate for Respondent No.3 : Ms. A. N. Shaikh

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**CORAM : SANDIPKUMAR C. MORE, J.  
DATED : 10/03/2023.**

***P. C. :***

**A) ORDER IN CIVIL APPLICATION NO.2863 OF 2023 :**

1. Heard.
2. The applicants are seeking withdrawal of the entire amount of compensation, which has been deposited by the appellant-insurance company alongwith the interest accrued thereon with learned Commissioner, Labour Court, Jalna.
3. The learned counsel for the appellant - insurance company strongly opposed the application on the ground that the learned Tribunal has granted exorbitant amount of compensation.
4. In view of the same and considering the compensation granted by the learned Commissioner, the applicants at this juncture, are permitted to withdraw 50% of the deposited amount of compensation alongwith the proportionate interest accrued

thereon till date on usual undertaking to the satisfaction of the learned Commissioner, Labour Court, Jalna.

5. The remaining amount be kept in FDR in any nationalized Bank on yearly renewal basis till final disposal of this appeal.
6. The civil application is accordingly disposed of.

**B) ORDER IN CIVIL APPLICATION NO.718 of 2023 :**

1. Heard rival submissions,.
2. The appellant insurance company is seeking condonation of delay of only 46 days. Considering the short period of delay, it stands condoned. Appeal be placed for admission after removal of office objections, if any. Application is accordingly disposed of.

**C) ORDER IN CIVIL APPLICATION NO.719 OF 2023 :**

Since the appellant - insurance company has deposited entire amount of compensation in the lower court, thus, the application is made absolute in terms of prayer clause-B and disposed of.

**( SANDIPKUMAR C. MORE, J. )**