

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

**CIVIL APPLICATION NO.5214 OF 2023 IN  
FIRST APPEAL ST. NO. 33068 OF 2022**

Nanda Sanjay Tribhuvan

Applicant

Versus

Cholamandalam MS General  
Insurance Co. Ltd.

Respondent

Mr. Shaikh Majit S., advocate for the Applicants  
Mr. A. G. Choudhari, advocate for Respondent No.1

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 19<sup>th</sup> April, 2023.**

**PC :**

Heard rival submissions.

The applicants are seeking withdrawal of entire amount of compensation, which has been deposited by the appellant-Insurance Company with concerned learned Commissioner.

The learned Counsel for the Insurance Company has strongly opposed the application on the ground that there was no employer-employee relationship between the owner and deceased.

In view of the same, the applicants, at this stage,

are permitted to withdraw 50% of the deposited amount along with proportionate interest accrued thereon on furnishing usual undertaking to the satisfaction of concerned learned Commissioner i.e. 2<sup>nd</sup> Labour Court at Ahmednagar. 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

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

**CIVIL APPLICATION NO.381 OF 2023 IN  
FIRST APPEAL ST. NO. 33068 OF 2022**

Manager, Chola mandalam General  
Insurance Co.

Applicant

Versus

Nanda Sanjay Tribhuvan & others

Respondents

Mr. A. G. Choudhari, advocate for the Applicant  
Mr. Shaikh Majit S., advocate for Respondents

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 19<sup>th</sup> April, 2023.**

**PC :**

The applicant-Insurance Company is seeking  
condonation of delay of only 83 days.

Considering the short period of delay, it stands  
condoned.

Appeal be placed for admission after removal of  
office objections, if any.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)  
JUDGE**

adb

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

**CIVIL APPLICATION NO.382 OF 2023 IN  
FIRST APPEAL ST. NO. 33068 OF 2022**

Manager, Cholamandalam General  
Insurance Co.

Applicant

Versus

Nanda Sanjay Tribhuvan & others

Respondents

Mr. A. G. Choudhari, advocate for the Applicant  
Mr. Shaikh Majit S., advocate for Respondents

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 19<sup>th</sup> April, 2023.**

**PC :**

Since the appellant-Insurance Company has deposited entire amount of compensation along with the interest with concerned learned Commissioner, the application is made absolute in terms of prayer clause {B}.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)  
JUDGE**

adb