



Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.15103 OF 2023
IN
FIRST APPEAL [STAMP] NO.7427 OF 2023**

Manisha Shriram Harke and another	]	Applicants
Vs.		
Iffco Tokio General Insurance,	]	
Thane, through Its Manager and another]		Respondents

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Ms. Rina Kundu, for Applicant.

Ms. Deepika Prabhala a/w Ms. Nikita Singh i/b Res Juris, for Respondent No.1.

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CORAM : PRITHVIRAJ K. CHAVAN, J.**DATE : 13th September, 2023.****P.C.**

1. This is an application seeking withdrawal of the amount of compensation deposited by respondent No.1.

2. It is submitted that the applicants are parents of the deceased who died in a motor accident. He was doing job as a Collie with respondent No.3. His salary was Rs.8,000/- per month. The applicants were dependent on the income of the deceased. Applicants have no income. They are suffering from old age related diseases. They need regular medicines.

3. Learned Counsel for respondent No.1 objects prayer on the ground that respondent No.1 has good case on merits. In case, respondent No.1 succeeds, it would be difficult to recover the amount.

4. In view of the fact that it being a welfare legislation, amount of compensation will have to be paid to the applicants in view of the fact that the applicants were dependent upon the applicant. For the said reason, application is allowed in terms of prayer clause (a). Commissioner Employees Compensation, Thane shall pay the amount of compensation with accrued interest, if any, to the employee.

5. The application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]