



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3487 OF 2024
IN FA/4582/2023

SANGITA NARAYAN MISTI AND ORS

VERSUS

AYUSH LOGISTICS PROPRETOR MANJIT AND ANR

Mr.PC. Mayure h/f. Mr. S.S.Chapalgaonkar, Advocate for the applicants.
Mr.S.S. Patil h/f. Mr. R.H. Dahat, Advocate for the respondent.

CORAM : KISHORE C. SANT, J.
DATED : 25.06.2024

PC :-

01. This application is filed by the claimants for withdrawal of the amount deposited in the office of MACT, Jalgaon. The application is opposed by the learned Advocate for the insurance company. However, considering that the amount is awarded towards compensation in a death claim, it would not be proper to deprive the claimants of the amount of their share. Ends of justice would be met by imposing certain conditions on the applicants.

02. Since applicant No.4 cannot be said to be dependent as observed by the learned Tribunal, no order of withdrawal of amount is necessary in respect of applicant No.4. Therefore, the following order :-

ORDER

(i) Applicant Nos. 1 and 5 are entitled to withdraw 50% amount of their share of the deposited amount with interest on

furnishing usual undertaking and 25% amount with interest on furnishing solvent surety/security to the satisfaction of the learned Member, MACT, Jalgaon.

(ii) Since applicant Nos. 2 and 3 are minors, they are at liberty to file application for withdrawal of amount, after they become major.

(iii) The Civil Application is accordingly allowed and is disposed off.

[KISHORE C. SANT, J.]