



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

32 CIVIL APPLICATION NO. 3369 OF 2024 IN FA/4306/2023

YOGESH KASHINATH JADHAV
VERSUS
VITHAL KALU AHIRRAO AND ANOTHER

...
33 CIVIL APPLICATION NO. 3371 OF 2024 IN FA/4301/2023

SAMADHAN DEVIDAS SONAWANE
VERSUS
VITHAL KALU AHIRRAO AND ANOTHER

...
WITH CIVIL APPLICATION NO. 14117 OF 2023 IN FA/4301/2023

...
34 CIVIL APPLICATION NO. 3374 OF 2024 IN FA/4300/2023

JIJABRAO ALIAS PAPPU BHIDAS RATHOD
VERSUS
VITTHAL KALU AHIRRAO AND ANOTHER

...
35 CIVIL APPLICATION NO. 3375 OF 2024 IN FA/4302/2023

BARKU CHANA CHAVAN
VERSUS
VITTHAL KALU AHIRRAO AND ANOTHER

...
(in All Cases)
Advocate for Applicant : Manoj Shinde holding for
Mr. Shailesh S. Chapalgaonkar
Advocate for Respondent No.1 : Mr. Mangesh G. Patil holding for
Mr. Anudeep D. Sonar
Advocate for Respondent No.2 : Mr. M. R. Deshmukh

...
CORAM : S. G. MEHARE, J.

DATE : 05-04-2024

PER COURT :-

1. Heard the learned counsel for the applicants, the learned counsel for respondent No.1 and the learned counsel for respondent No.2/appellant.

2. All these cases are arising out of injury claims. The question is, whether the appellant/insurer is liable to pay the compensation to the labourers who were travelling in the offending vehicle for unloading the goods, when they were not the employees of the insured. It appears that the compensation awarded is on higher side. Considering the facts and issue involved in the cases, it would be appropriate to allow the applications. Hence, the order;

ORDER

- i) The applications are allowed.
- ii) The applicants are permitted to withdraw the entire amount deposited with this Court with accrued interest thereon, on furnishing an undertaking that they would deposit the amount, if the impugned judgment and award is reversed.

(S. G. MEHARE)
JUDGE

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