



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO. 11400 OF 2024
IN FAST/13658/2024
WITH
CIVIL APPLICATION NO. 5423 OF 2024
IN FAST/13658/2024
WITH
CIVIL APPLICATION NO. 5424 OF 2024
IN FAST/13658/2024
WITH
CIVIL APPLICATION NO. 11401 OF 2024
IN FAST/13658/2024

MANASI HEMANT PATIL
VERSUS
RAMBADAN BHOLA YADAV AND ANR

...
Advocate for Applicant : Mr. O.A.Deshpande h/f Mr. Shailesh
Sudhakar Chapalgaonkar
Advocate for the Respondents : Mr. A.S. Usmanpurkar
...

CORAM : KISHORE C. SANT, J.

DATE : 24.10.2024.

PER COURT :

WITHDRAWAL

1. Heard the parties.
2. These applications are filed for withdrawal of the amount deposited by the appellant insurance company in the

office of this Court.

3. The application is vehemently opposed by learned Advocate Mr. Usmanpurkar for respondents. He submits that the learned MACT while calculating the amount has not considered the amount of compensation properly. The compensation amount is based on gross salary. Considering the above, the application deserves to be allowed. Hence this Court is inclined to pass following order :

ORDER

- (i) The Civil Application stands allowed.
- (ii) Applicants are permitted to withdraw 50% of the amount along with accrued interest deposited in this Court as per the impugned judgment and award on furnishing usual undertakings.
- (ii) Further 25% of the amount alongwith accrued interest is permitted to withdraw, deposited in this Court as per the impugned judgment and award on furnishing solvent surety/security to the satisfaction of the Registrar, (Judicial) of this Court.
- (iii) Remaining 25% of the amount alongwith interest be deposited in Fixed Deposits, in any nationalized bank, to be renewed from time to time till disposal of the

appeal.

(iv) With this the Civil Applications stand disposed off.

STAY

1. Heard. Since the amount is already deposited in the office of this Court, in view of the same, there shall be stay to the impugned judgment and award till the final disposal of the appeal.

2. The Civil Application stands disposed off.

DELAY

1. Await service.

2. Stand over to 16.01.2025.

**(KISHORE C. SANT)
JUDGE**

mahajansb/