



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

CIVIL APPLICATION NO. 11554 OF 2023
IN FA/950/2022

PRASHANT BHARATSING PARDESHI
VERSUS
JAISING ALLOYS PRIVATE LIMITED
THROUGH ITS OWNER SHARAN JAISING

...
Advocate for Applicant : Mr. Kachru A. Ingle
Advocate for Respondent : Mr. C. T. Jadhav holding for
Mr. S. S. Dambe
...

CORAM : S. G. MEHARE, J.

DATE : 19-01-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned counsel for the respondent.
2. A small amount of Rs.3,08,925/- has been awarded. However, the learned counsel for the respondent/appellant is seeking time to file reply. The grounds of the appeal may be considered as reply. The appellant has preferred an appeal on the ground that the Medical Officer was examined. Therefore, disability has not been proved. The injury sustained to the applicant/claimant was recoverable and does not fall in the definition of 'permanent disability'.
3. Considering the facts and circumstances of the case that the applicant has suffered burn injuries, following order is passed.

- i) The application is partly allowed.
- ii) The applicant is entitled to withdraw 50% of the amount deposited with accrued interest. The remaining amount be invested in a fixed deposit.
- iii) The learned Tribunal is directed to allow the applicant to withdraw 50% of the amount deposited as directed with an undertaking that he will re-deposit the amount, if the impugned judgment and order is reversed.

(S. G. MEHARE)
JUDGE

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