



(1)

{ca5505.24}

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

**922 CIVIL APPLICATION NO. 5505 OF 2024
IN FAST/38269/2023**

SHARDA WD/O. ANIL SABLE AND ORS

VERSUS

NATIONAL INSURANCE COMPANY LIMITED, THROUGH ITS AUTHORISED
SIGNATORY, ASST. MANAGER AND ANR

WITH

**CIVIL APPLICATION NO. 15438 OF 2023
IN FAST/38269/2023**

NATIONAL INSURANCE COMPANY LTD

VERSUS

SMT SHARDA ANIL SABLE

Mr.B.K. Patil, Advocate for the applicant-claimant.

Mr.V.R. Mundada, Advocate for respondent-insurance company.

CORAM : KISHORE C. SANT, J.

DATE : 18.10.2024

PC :-

CIVIL APPLICATION FOR WITHDRAWAL OF AMAOUNT.

01. Heard learned Advocates for the parties. This application is for withdrawal of the amount deposited by the respondent-insurance company in the office of learned Commissioner under Workmen's Compensation Act. The application is partly allowed as per following order :-

ORDER

- (i) The application is partly allowed.
- (ii) The Commissioner under Workmen's Compensation Act,

Ahmednagar is directed to allow the applicants to withdraw 50% amount deposited along with accrued interest on furnishing undertaking that in case the impugned judgment is quashed and set aside and the appeal is allowed, the applicants shall re-deposit the amount within 12 weeks from the date of such order.

(iii) Further 25% amount along with accrued interest is allowed to be withdrawn on furnishing solvent surety/security to the satisfaction of the learned Commissioner under Workmen's Compensation Act.

(iv) Remaining 25% amount shall be deposited in fixed deposit of any nationalized bank to be renewed periodically till disposal of the appeal.

CIVIL APPLICATION FOR CONDONATION OF DELAY

01. This application is for condonation of delay in filing the first appeal. Learned Advocate Mr. Patil opposes application. For the reasons stated in the application, the delay stands condoned.

02. The application is allowed.

03. The first appeal be registered and be placed for admission on 05.12.2024.

[KISHORE C. SANT, J.]