

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.15792 OF 2023
IN
FIRST APPEAL NO.317 OF 2020**

Mr. Kisan Jalindar Sawant ..Applicant

IN THE MATTER BETWEEN

Iffco-Tokio General Insurance Co. Ltd. ..Appellant

Versus

Mr. Kisan Jalindar Sawant & Anr. ..Respondents

Mr. V. M. Parkar for the Applicant/Org. Respondent No.1.

Mr. Rajesh Kanojia a/w Shilpi Singh i/by Res Juris, for the
Appellant.

CORAM : KISHORE C. SANT, J.

DATE : 2nd FEBRUARY, 2024

PC.

1. This Application is by original claimant/Respondent for withdrawal of the amount deposited by the Appellant/employer in the office of learned Commissioner for Employees Compensation and Judge Labour Court, Thane. The employer has deposited total amount of Rs.6,20,758/-.

2. This Court finds that since the claimant is successful in the original proceedings, it would not proper to deprive claimant from compensation. The Application stands allowed.

3. The Commissioner shall allow the present Applicant to withdraw 50% of the amount deposited by the employer with accrued interest, if any.
4. Applicant shall furnish undertaking that in case if Appeal is allowed, he shall redeposit the amount withdrawn by him within six weeks. Remaining 50% amount be deposited in fixed deposit till disposal of the Appeal.
5. The Application stands disposed of.

[KISHORE C. SANT, J.]