



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

16 FIRST APPEAL NO. 378 OF 2025
WITH
CIVIL APPLICATION NO. 378 OF 2025
IN FA/378/2025

PRESIDENT SATISH SUGAR LTD AND ANOTHER
VERSUS
AASHABAI W/O BALCHAND WADANE

...
Advocate for Appellants : Mr. Nangare Prashant R.
Advocate for Respondent Nos. 1 to 5 : Mr. Jadhav Tanvi V.
...

CORAM : S. G. CHAPALGAONKAR, J.
Dated : 24.02.2025

PER COURT :-

ORDER IN FIRST APPEAL :

1. Heard learned Advocate appearing for respective parties.
2. Call for record and proceedings.
3. Issue notice to respondent No. 6, returnable on 24.03.2025.

ORDER ON WITHDRAWAL OF AMOUNT APPLICATIONS :

4. Heard learned Advocate appearing for respective parties.
5. Applicants are seeking withdrawal of amount deposited by respondents pursuant to the award passed by Commissioner of Employees Compensation, Majalgaon, District Beed in ECP No. 01 of 2017.
6. Applicants are dependents/legal representatives of Balchand Wadane. He died while driving tractor which was engaged for

transportation of sugar cane. Applicants contend that the deceased was employee of Sugar factory and accident occurred during course of and arising out of the employment.

7. Respondent Nos. 1 & 2 filed Written Statement and denied the employee-employer relationship. Commissioner for Employees Compensation after recording evidence of parties concluded that deceased died during the course of and arising out of the employment with defendant.

8. Appeal is filed against award passed by the Commissioner and by carrying forward defence as raised before the Commissioner.

9. Considering submissions advanced and reasoning as adopted by Commissioner of Employees Compensation, applicants are permitted to withdraw 50% of the amount deposited by appellant, subject to condition that they furnish undertaking with learned Commissioner for Employees of Compensation, Majalgaon that they shall re-deposit amount, in case an adverse order is passed against them in appeal.

10. Rest of amount be kept in fixed deposit, in any nationalized bank, to be renewed from time to time, till further orders of this court.

11. An undertaking to be filed within a period of four weeks from today.

12. Civil Application stands disposed off.

(S. G. CHAPALGAONKAR)
JUDGE