

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9772 OF 2025
IN
FIRST APPEAL NO. 1304 OF 2022

Smt. Sunita Nilesh SadamateApplicant

HARISH
VITHAL
CHAUDHARI

IN THE MATTER BETWEEN

Executive Engineer, Civil Division, M.S.E.T.C.L.Appellants
and Anr.

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by HARISH
VITHAL
CHAUDHARI
Date:
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Vs.

Shri. Uttam Dattatraya Sadamate and Ors.Respondents

Mr. Sachin Hande a/w Ms. Priyanka Singh (VC) for M.S.E.T.C.L.,
Advocate for the Appellants.

Mr. Sandeep Koregave for Respondent Nos. 1 to 4.

Mr. Abhay A. Jadhavar a/w Mr. Rutik A. Kashid for Respondent No.7.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th NOVEMBER, 2025.

PC.

1. By this application, the applicant is seeking withdrawal of the amount.

2. Learned counsel for the applicant submit that the deceased was the husband of the applicant. The Appellant Nos. 1 and 2 have

deposited the amount before Commissioner for Employees Compensation, Sangli the applicant needs the compensation amount for her daily expenses, hence, requested to allow the application.

3. Learned counsel for Appellant Nos. 1 and 2 strongly objected to allow the application on the ground that this Court has already permitted to withdraw the 40% amount out of the deposited compensation amount, hence, requested to reject the application.

4. Learner council for respondent Nos. 1 to 4 (original claimants) submitted that this Court has already permitted to withdraw 40% amount out of the total deposited amount and they are opposing for withdrawal of the amount by the applicant as the dispute was going on between the applicant and deceased husband. Hence, the applicant is not entitled for withdrawal of amount and requested to reject the application.

5. I have heard all the learned counsel.

6. The applicant is the wife of deceased husband. She needs the amount for her daily expenses. Considering these facts, I pass following order:

ORDER

I. Application is allowed.

II. The applicant is permitted to withdraw 10% amount

out of the total deposited amount along with accrued
interest there on by filing usual undertaking.

7. The interim application is disposed of.

(SHIVKUMAR DIGE, J.)