



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6887 OF 2025

IN

FIRST APPEAL (ST) NO. 6420 OF 2025

Umesh Nilkanth Dabbe.

...Applicant.

In the matter between :

The New India Assurance Co. Ltd.

...Appellant

Versus

Umesh Nilkanth Dabbe And Ors.

...Respondents

Pritesh Bhode for the Applicant.

Ms. Swati Sinha for the Appellant.

Coram : Sharmila U. Deshmukh, J.

Date : April 22, 2025.

P. C. :

1. Interim Application has been preferred by the original Applicants seeking permission to withdraw the amount deposited by Appellant – Insurance Company.
2. Learned Counsel appearing for the Applicant submits that in the year 2024, the Applicants have been granted compensation of Rs. 13,43,103/- along with interest, which may be permitted to be withdrawn.
3. The said request is opposed by learned Counsel appearing for the Appellant. She submits that the Commissioner for Workmen's

Compensation has awarded penalty and interest which was specifically excluded from the insurance policy as also the medical expenses which were limited to Rs.50,000/-. She submits that the compensation granted was Rs.10,11,970/- plus medical expenses of Rs. 3,31,133/- and thereby the compensation awarded is Rs.13,43,103/-. The dispute raised by the Insurance Company is as regards the imposition of interest and penalty and the medical expenses beyond the sum of Rs.50,000/-.

4. It is not disputed that the Applicant is entitled to compensation of Rs.10,11,970/- which has been rightly calculated by taking into consideration the salary and relevant multiplier. The dispute is only as regards the amount of penalty, interest and medical expenses.

5. Leaving aside the disputed amount, as the entitlement to the principle compensation amount is not in question, the Applicant is permitted to withdraw the sum of Rs.10,11,970/- deposited by the Appellant – Insurance Company with the Commissioner for Workmen's Compensation.

6. Interim Application is allowed in the above terms.

7. All concerned to act upon copy of this order authenticated by the Registry of this Court.

[Sharmila U. Deshmukh, J.]