

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

**INTERIM APPLICATION NO. 10637 OF 2025
IN
FIRST APPEAL (ST) NO. 35518 OF 2023**

Smt. Savita Devi Nunulal Sah & Anr.	...Applicants
IN THE MATTER BETWEEN	
M/s. The New India Assurance Co. Ltd.	...Appellant
Versus	
Smt. Savita Devi Nunulal Sah & Ors	...Respondents

Adv Yogendra M Pendse for the Applicants in IA
Adv. Ashwini B. Jadhav i/b. Adv. Suresh Padwal for the Respondents IA

CORAM : M. M. SATHAYE, J.

DATED : 8th AUGUST 2025

P.C.:

1. This is an application by Claimants for withdrawal of the amount deposited by the Appellant-Insurance Company.
2. The Appeal is arising out of the death claim. By the impugned order, Commissioner for the Employees' Compensation has already granted compensation of Rs.8,67,640/- along with interest @ 12% per annum from the date of accident till its realization. The Employer/Opponent No. 1 is also directed to pay 50% compensation towards penalty. The Appeal is filed only by the Insurance Company.
3. Learned Counsel for the Applicant, invited this Court's attention to the

grounds raised in the Appeal Memo and submitted that essentially the liability of the Insurance Company to pay the interest is challenged and therefore the principal amount deposited with the Commissioner should be permitted to be withdrawn.

4. Learned Counsel for the Appellant-Insurance Company seeks time. Copy of the Application be served on the learned Counsel for the Appellant-Insurance Company, if not already served.

5. Stand over to 18/08/2025 for further consideration.

(M. M. SATHAYE, J.)