



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11709 OF 2025
IN FA/203/2026

LALITA DEEPAK MENDAKE
VERSUS
THE MANAGING DIRECTOR

....

Mr. Sushant Choudhari, Advocate for the Applicant
Mr. Sanket Kulkarni h/f Mr. Yugant R. Marlapalle, Advocate for
Respondent No.1

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CORAM : Y. G. KHOBRADE, J.

DATE : March 09, 2026

PER COURT :-

1. By the present application, the applicant Nos. 1 to 3 who are the original claimants in Application W.C.A. No.36 of 2022, seek permission to withdraw the amount of compensation deposited by non-applicant Nos. 1 and 2 / original employer.
2. The non-applicant Nos.1 and 2 have filed reply and strongly opposed the application.
3. The learned counsel for the non applicant submits that on 09.09.2025, this Court granted stay to the execution proceedings in WMCD No.26 of 2025 arising out of W.C.A. No.36 of 2022.

4. The appeal against the order and award of the Commissioner under the Workmen's Compensation Act can only be filed on depositing the entire amount of compensation.

5. Accordingly, the present non-applicants have deposited Rs.19,64,000/- as per the judgment and award dated 27.01.2025, before the learned Commissioner under the Employee's Compensation Act.

6. Therefore, considering the need of the present applicants / original claimants as well as the nature of claim, the applicant Nos. 1 to 3 are permitted to withdraw an amount of Rs.4,50,000/- each out of the deposited amount during pendency of the appeal on furnishing undertaking that in the event, if the impugned judgment and award is reversed, they would redeposit the said amount within a period of three months therefrom.

7. Accordingly, the civil application is disposed off.

[Y. G. KHOBRADE, J.]