

Before S.R. Bhor, Commissioner for Employee's Compensation
& Judge, Third Labour Court, Thane.

DISTRIBUTION APPLICATION (ECA) No. 347/I-72 OF 2024
CNR No.MHLC04000828-2024

In
APPLICATION (WCA) NO. 309/B-59/2018

1. Smt. Nirmala Subhash Golavad
Age : 35 years, Widow of the deceased
2. Smt. Vimal Tanhaji Golavad
Age : 79 years, Mother of the deceased

All Residing at :

Behind Marathi School,
Padhegaon, Ahmadnagar,
Padhigaon, Maharashtra.

...Applicants

Versus

Mr. Vinod Dattatray Jethe
At- Post Wadala Mahadev,
Tal. Shrirampur, Dist. Ahmadnagar,
Maharashtra -413709.

...Opp. Party

And

United India Insurance Co.Ltd.
At: 2nd Floor, Pardeshi Building,
Station Road, Near Laxmi Market,
Kalyan, Dist. Thane – 421 301.

... Insurer

Appearance : Ld. Adv. Amit S. Choudhary for applicants.

DISTRIBUTION ORDER
(Delivered on- 10/03/2026)

This application is filed under section 8 of the Employees' Compensation Act, 1923 (In Short, E.C. Act) for distribution and apportionment of compensation amount of Rs.9,46,254/-.

2. Brief facts of application are as under.

The applicant no.1 is the widow and the applicant no. 2 is mother of the deceased namely Subhash Tanhaji Golavad. Applicants are the dependents of the deceased. They filed Application (ECA)

No.309/B-59/2018 claiming compensation which was allowed by the Commissioner and as per the order of the Commissioner, the insurer deposited amount of Rs.9,46,254/- in this Court. There are no other legal heirs and dependents of deceased besides applicants. Lastly, they have prayed to allow the application.

3. Notice was published in 'Tarun Mitra' Newspaper on 03/12/2024. As per the office report dated 10/03/2026 an amount of Rs.9,46,254/- (*Rupees Nine Lakhs Forty Six Thousand Two Hundred And Fifty Four Only*) was deposited by insurer vide Ds. No.79/2024 dated 12/07/2024 in Application (WCA) No.309/B-59/2024 and it is laying at State Bank Of India, Thane. Thereafter, it has been kept in fixed deposit TDR no.627 in Indian Bank, Thane.

4. Applicants have filed on record claim affidavit of applicant no.1 at Exh.U-5 to support their contention. The applicant no.1 has reiterated all the contents of the application in her claim affidavit. They have filed on record copies of their Aadhar cards, Pan card of applicant no.1 and their duly filed Annexure- 'A' at Exh.U-13 and U-15 showing details of their bank accounts of Sindhudurg Sahakari Bank Ltd., branch Lalbaug, Mumbai verified by bank officer. Further, applicant no.2 has filed affidavit stating that her name in the application is mentioned as Vimal Tanhaji Golavad but as per Aadhar card her name is Vimal Tanhaji Godwad but both are one and the same person. Applicants by filing pursis below Exh.U-9 and U-17 have stated that they do not want lead further evidence and there is no appeal pending before Hon'ble High Court in the present matter.

5. No one appeared to contest the claim of applicants. Hence, the evidence of applicants remained unchallenged. Thus, there is no hesitation to held that there are no other legal heirs or

dependents of the deceased except applicants. The applicant no. 1 is widow and the applicant no. 2 is mother of the deceased. Thus, it is clear that applicant nos.1 and 2 are the only dependents within the meaning of section 2(1) (d) of the Act.

6. The applicant nos.1 and 2 are women. Section 8(7) of the Act provides that “where the deposited amount is payable to woman, such sum may be invested, applied or otherwise dealt with for the benefit of the woman.” However, in view of the ruling laid down in the case of *Bunnan Allauddin Khan v/s. Mohd. alias Mustaf Ahmed and ors. I (1990) ACC 438* the Commissioner has jurisdiction to direct deposit of an amount in case of minor dependents only and not in case of dependents who are major. Therefore, there is no question to deposit the amount distributed to applicant nos.1 and 2 in fixed deposit.

7. Considering all above aspects, this Court finds that the amount of Rs.9,46,254/- (*Rupees Nine Lakhs Forty Six Thousand Two Hundred And Fifty Four Only*) has to be distributed among applicant nos.1 and 2 accordingly as per their needs. Thus, the applicant no.1 shall get Rs.5,46,254/- and remaining amount of Rs.4,00,000/- has to be given the applicant no.2. In the result, I pass following order ;

Order

- 1) The application is allowed.
- 2) The amount of Rs.5,46,254/- (Rs. Five Lakhs Forty Six Thousand Two Hundred And Fifty Four Only) be paid to applicant no.1 i.e. Nirmala Subhash Golavadi by account payee cheque or NEFT as per Rules.
- 3) The amount of Rs.4,00,000/- (Rs. Four Lakhs Only) be paid to applicant no.2 i.e. Vimal Tanhaji Golavadi by account payee cheque or NEFT as per Rules.

- 4) The interest, if any, on the entire compensation amount of Rs.9,46,254/- (*Rupees Nine Lakhs Forty Six Thousand Two Hundred And Fifty Four Only*) be paid to the applicant no.1 *Nirmala Subhash Golavad*, widow of deceased by account payee cheque or NEFT as per Rules.

Date : 10/03/2026

(S.R. Bhor)
Commissioner for Employees'
Compensation & Judge,
Third Labour Court, Thane

kpm/-