

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**Civil Application (F) No.1375 of 2020**

**IN**

**First Appeal Stamp No.22410 of 2019**

Shri Sachitannand Chandrashekhar Malavalli Bhat

**Vs.**

Smt. Hemlata wd/o Rajaram and Others

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.  
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Court's or Judge's Orders

None for the Appellant.  
Shri Prakash D. Meghe, Advocate for Respondent Nos.1 to 3.

**CORAM : S.M. MODAK, J.**

**DATE : 6<sup>th</sup> NOVEMBER, 2020.**

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

Heard learned Advocate Shri Prakash D. Meghe for respondent Nos.1 to 3/original claimant Nos.1 to 3.

The learned Labour Commissioner has held that respondent Nos.1 to 3 and respondent No.4 – Chabilal and respondent No.5 – Ramawati (claimed to have expired) were held entitled to compensation of Rs.7,58,240 along with the interest. Amongst five claimants, now only three claimants are asking for withdrawal of Rs.4,00,000/- which is deposited before the Labour Commissioner.

It is told that respondent No.5 – Ramawati is no more but yet necessary amendment is not made. Respondent Nos.1 to 3 are at

liberty to file her death certificate on record. So also, no one is representing respondent No.4 – Chabilala. So, at this juncture, it is difficult to decide this application.

Matter be kept on 27<sup>th</sup> November, 2020.

**First Appeal Stamp No.22410 of 2019**

The stay order granted by this Court on 5<sup>th</sup> February, 2020 is brought to my notice. The appellant – employer was directed to deposit 50% of the decretal amount before the Labour Court.

It is submitted that an amount of Rs.4,00,000/- was deposited which is much less than 50% of the amount. The appellant is directed to comply with the order, if they already have not deposited 50% of the decretal amount.

It is made clear that, if this Court will find that the order is not complied, the stay order can also be vacated.

**JUDGE**