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IN THE HIGH COURT OF BOMBAY AT GOA

**APPEAL UNDER WORKMENS COMPENSATION ACT NO.1142 OF
2023 (F)**

**WITH
CIVIL APPLICATION NO.1143 OF 2023 (F), MISC.CIVIL
APPLICATION NO.603 OF 2023**

**APPEAL UNDER WORKMENS COMPENSATION ACT NO.1142 OF
2023 (F)**

ICICI GENERAL INSURANCE CO. LTD ... APPELLANT

Versus

SONI DEVI AND ANR ... RESPONDENTS

**WITH
CIVIL APPLICATION NO.1143 OF 2023 (F)
IN**

**APPEAL UNDER WORKMENS COMPENSATION ACT NO.1142 OF
2023 (F)**

ICICI GENERAL INSURANCE CO. LTD ... APPLICANT

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**WITH
MISC.CIVIL APPLICATION NO.603 OF 2023
IN**

**APPEAL UNDER WORKMENS COMPENSATION ACT NO.1142 OF
2023 (F)**

ICICI GENERAL INSURANCE CO. LTD ... APPLICANT

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Ms. Gauri Borkar, Advocate for the Appellant.
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CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 8th August, 2024

P.C.

Heard the learned Counsel for the Appellant.

2. An Appeal is filed challenging the order passed by the Commissioner for Employee's Compensation dated 28.11.2022, wherein compensation of more than Rs.15 lakhs is awarded along with interest in view of the death of the Employee during the employment. Along with the Appeal, there is an Application for condonation of delay as well as an Application for stay.

3. The learned Counsel for the Appellant would submit that there is a delay of 96 days in filing the Appeal and the delay occurred as approval had to be taken from the concerned Authority to file an Appeal.

4. The learned Counsel for the Appellant submits that the total compensation together with interest amounting to Rs.17,50,108/- is already deposited with the Commissioner for Employee's Compensation by handing over a cheque dated 10.07.2023. She submits that there are good grounds to consider the Appeal as although the deceased was an Employee, however, his death was not during the course of the employment.

5. Issue notice to the Respondents, returnable on 12.09.2024.

6. In the meantime, since the entire compensation is deposited with

the concerned Authority, there shall be stay from releasing such compensation to the legal heir of the deceased, if not already released.

BHARAT P. DESHPANDE, J.