

**BEFORE SHRI S. Z. SONBHADRE
MEMBER, INDUSTRIAL COURT, AT AKOLA****Misc. ULP Application No. - 01 - of - 2018****CNR No. MHIC30-000202-2018**

1. Smt. Shantabai Wasudeo Mahalle
Aged about 67 years, Occu. Household.
2. Suresh Wasudeo Mahalle,
Aged about 47 years, Occu. Labour.
3. Dipak Wasudeo Mahalle,
Aged about 45 years, Occu. Labour.
4. Gajanan Wasudeo Mahalle,
Aged about 42 years, Occu. Labour,

All R/o Rajapur, Post Nipana, Tq. & Dist. Akola. - ***Applicants*****Versus**The Registrar,
Dr. Punjabrao Krushi Vidhyapeeth, Akola. - ***NonApplicant*****O R D E R****(Passed on 04-07-2019)**

01. This is the Application for grant of permission to withdraw an amount of Rs. 2,34,132/- in the name of the Applicants, claiming themselves to be the Legal Heirs of Late Shri Wasudeo Shamrao Mahalle. Record reveals that in the Revision ULP No. 53/2014 an amount of Rs. 2,34,132/- was deposited by the Revision Petitioner, Original Respondent Employer. This amount was deposited towards Monitory Claim of Deceased Employee, Shri Wasudeo Shamrao Mahalle and the Revision was withdrawn in

the Lok Adalat held on 10-02-2018. Present Applicants claiming themselves to be Legal Heirs of deceased Shri Wasudeo Mahalle have prayed for releasing the amount in their name.

02. Present Application was earlier fixed for 17-06-2019. On that date the matter was adjourned to 31-07-2019. However today the Applicants vide Application Exh. 9 prayed for taking the matter on today's board. Ld. Counsel for the Respondent consented for taking the matter on today's board, and the matter is taken for final disposal.

03. The Respondent - Employer have recorded its say below Application Exh. 1 and stated that they have no objection for releasing the amount to the Legal Heirs. However, as per the knowledge of the Respondent the Deceased Employee Shri Wasudeo Mahalle was having 4 Sons and one Son namely Balkrushna Wasudeo Mahalle is expired and is survived by his Widow and Children. As such prayed for verification of the Applicants being Legal Heirs. Respondent have no objection for releasing the amount.

04. The Applicants have filed on Record documents with List Exh. U-3. Document No. 1 is the copy of order dated 10-02-2008 in the Revision ULP No. 53/2014. Document No. 2 is the

Award dated 10-02-2018. Document No. 3 is the Pursis dated 10-02-2018. Document No. 4 is the Legal Heir Certificate showing the Applicants as the Legal Heirs. Document No. 5 is the Death Certificate of Deceased Employee Shri Wasudeo Shamrao Mahalle who is expired on 07-10-2014 i.e. much before the order dated 10-02-2018 in Revision ULP No. 53/2014. The Applicants to establish their identity have filed their Aadhar Card as document No. 6.

05. The Record further reveals that the Applicants to overcome the objection of the Respondent, have filed Affidavits of all the Legal Heirs of Shri Balkrushna Wasudeo Mahalle, the Pre-Deceased Son of the Original Employee. Affidavit of the Smt. Padma Wd/o Balkrushna Mahalle at Exh. 5. Further the Death Certificate of Balkrushna Mahalle is filed as Document No. 1, with List Exh. U-8. Adhar Cards of Smt. Padmabai, Nitin, Ganesh and Nilesh (The Legal Heirs of Balkrushna Mahalle) are filed as Document No. 2 to 5 with List Exh. U-8.

06. The Applicants have also filed Affidavits of Nitin S/o Balkrushna Mahalle, Ganesh S/o Balkrushna Mahalle, Gajanan S/o Balkrushna Mahalle. Applicants have filed Pursis at Exh. U-6, under the thumb impression of Padmabai Balkrushna Mahalle and the signature of Nilesh Balkrushna Mahalle, thereby stating that

the amount of Rs. 2,34,132/- be released in the name of Applicant No. 1, Smt. Shantabai Wasudeo Mahalle, who is the Widow of the Deceased Employee.

07. As such, I am satisfied that all the Legal Heirs have no objection in releasing the amount of Rs. 2,34,132/- in the name of Shantabai Wasudeo Mahalle. Senior Clerk have recorded his Report below Exh. 1 that an amount of Rs. 2,34,132/- is deposited on 20-02-2018 and the amount is invested in the Fixed Deposit. As such, I proceed to pass the following order.

ORDER

- i. Application is allowed.
- ii. An amount of Rs. 2,34,132/-, along with accrued interest thereon, deposited in this Court by the Revision Petitioner, in the Revision ULP No. 53/2014, be released in the name of Applicant No. 1, Smt. Shantabai Wasudeo Mahalle, on due verification of her identity and Bank details.
- iii. No order as to costs.

Akola.
Date :-
04-07-2019.
SNK/-.

(S.Z. Sonbhadre)
Member
Industrial Court, Akola