

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**Civil Application No.3545 of 2014
In
First Appeal No.2832 of 2013**

Sunil S/o Pandharinath Nagargoje
(Lamb).

.. Applicant.

Versus

The New India Assurance Co. Ltd.
And Another.

.. Respondents.

Shri. N.R. Bhavar, Advocate, for applicant.

Shri. A.B. Kadethankar, Advocate, for respondent No.1.

CORAM: T.V. NALAWADE, J.

DATE : 11^h JUNE 2015

ORDER:

1) The application is filed for permission to withdraw the amount deposited by the insurance company towards compensation under Workmen's Compensation act. The Insurance company has challenged the decision on two grounds. The insurance company wants to show that there was no relationship as employer and employee and there was no 100% disablement.

2) Seen the judgment. There is evidence of the doctor. In view of these circumstances the applicant is allowed to withdraw an amount of Rs. three lakh. He is to give undertaking to the Court that in case the matter is decided against him he will deposit the entire amount along with interest at the rate of 9% per annum. The application is disposed of. List the first appeal for disposal at the admission stage. Call record and proceeding.

Sd/-
(T.V. NALAWADE, J.)

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